

RULES, ORDINANCES, AND REGULATIONS,

FOR THE GOOD ORDER AND CIVIL GOVERNMENT

OF THE

SETTLEMENT

OF

FORT WILLIAM IN BENGAL;

MADE AND PASSED BY THE

GOVERNORS GENERAL AND VICE PRESIDENTS IN COUNCIL

FOR THE TIME BEING.

TO WHICH ARE PREFIXED

EXTRACTS FROM CHARTERS AND ACTS OF PARLIAMENT AS TO THE APPOINTMENT OF JUSTICES OF THE PEACE—THE ESTABLISHMENT OF A COURT OF QUARTER SESSIONS, ITS JURISDICTION, &c.—AND THE POWERS GRANTED TO THE GOVERNOR GENERAL AND COUNCIL TO MAKE RULES, ORDERS AND REGULATIONS—THE COMMISSION OF THE PEACE—AND ABSTRACTS OF FORMER RULES, ORDINANCES AND REGULATIONS SINCE REPEALED.

COMPILED BY ORDER OF HIS EXCELLENCY THE MOST NOBLE THE MARQUIS OF HASTINGS, GOVERNOR GENERAL IN COUNCIL:

BY

WM. HUNTER SMOULT,

Clerk of the Peace.

A. D. 1819.

RE-PRINTED, BY PERMISSION OF GOVERNMENT

WITH A SUPPLEMENT CONTAINING THE RULES SINCE ENACTED AND AN ABSTRACT OF THE CHARTER OF THE SUPREME COURT OF JUDICATURE AT FORT WILLIAM IN BENGAL.

At the Asiatic Press, No. 3. Council House Street.

CALCUTTA 1826.



EXTRACTS,

FROM

CHARTERS, &c. AND ACTS OF PARLIAMENT.

As to the Appointment of Justices of the Peace, the Establishment of a Court of Quarter Sessions, its Jurisdiction, &c and the Powers granted to the Governor General in Council to frame Regulations for the good Order and Civil Government of the Settlement of Fort William, in Bengal.

CHARTER Dated 8th January, 1753, 26 Geo. 2d.

ESTABLISHES a Corporation at each of the Presidencies of Madraspatnam, Bombay, and Fort William, to consist of a Mayor and nine Aldermen, and a Court of Record by the name of the Mayor's Court.

Also a Court of Requests, for the Recovery of small Debts.

Appoints Justices of the Peace, and establishes a Court of Quarter Sessions, at Madraspatnam, and Town or Factory of Calcutta at Fort William, as follows:

Governor or President and Council of Fort Saint George to act as Justices of the Peace.

And We do further for Us, our Heirs and Successors, give and grant unto the said Company and their Succesors, and do by these Presents ordain, establish, and appoint, that the Governor or President and Council of Fort Saint George aforesaid, for the time being, shall be Justices of the Peace, and have power to act as Justices of the Peace, in and for the said Town of Madraspatnam, and in and for Fort Saint George, Fort Saint David, Vizagapatnam, the Factories on the Coast of Sumatra, and all other the Factories subordinate to Fort St. George, aforesaid, in the same and the like manner, and with the same or the like powers as Justices of the peace constituted by any Commission or Letters patent under our Great Seal of Great Britain, for any Country, City or Town corporate in that part of our said Kingdom called England, do or may exercise such Office.

Governor or President and Council, or any three of them (whereof Governor or President or in his absence the Senior Counsel to be one,) shall hold Quarter Sessions four times in the year.

And be Commissioners of Oyer and Terminer and Gaol Delivery.

To issue Precept to Sheriff to Summon Juries.

Proceedings the same as before Justices of the Peace and Commissioners of Oyer and Terminer in England.

And Our further Will and Pleasure is, and we do by these Presents for Us, our Heirs and Successors, give and grant unto the said Company and their Successors, that the Governor or President of Fort Saint George, and the Council for the time being, or any three or more of them, (whereof the Governor or President, or in his absence the Senior of the Council then residing at Fort Saint George to be one,) shall and may hold Quarter Sessions of the Peace four times in the year within the District aforesaid, and shall at all times hereafter be a Court of Record in the nature of a Court of Oyer and Terminer and Gaol Delivery, and shall from time to time, and at all times hereafter be Commissioners of Oyer and Terminer and Gaol Delivery, for the trying and punishing all Offenders and Offences (High Treasons only excepted) had, committed or done within the said Town of Madraspatnam, Fort Saint George. or within any of the said Factories or Places subordinate thereto. and that it shall and may be lawful, to and for the said Justices of the Peace and Commissioners of Oyer and Terminerand Gaol Delivery respectively, to proceed by Indictment, or by such other ways, and in the same or like manner as is used in that part of Great Britain called England, as near as the Condition and Circumstances of the Place and Inhabitants will admit of, and for that purpose to issue their Warrant or Precept to the Sheriff of the said district for the time being, commanding him to summon a convenient number of the principal Inhabitants within the said district, to serve and attend as Grand and Petit Juries at the said Courts respectively; and that the said Justices of the Peace and Commissioners of Oyer and Terminer and Gaol Delivery respectively, shall and may deliver to them the usual Oath taken in England by the Grand Petit and Jury, and also administer to the Witnesses who shall be produced for or against the Party to be tried, a proper Oath or Affirmation, (that is to say) an Oath upon the Holy Evangelists to any Witness or Witnesses, who shall profess the Christian Religion, and to administer an Oath or Solemn Affirmation to any other Witness or Witnesses, Natives of India, in such manner as they, according to their several Casts, shall esteem to be most binding on their Consciences to oblige them to speak the Truth; and that the said Justices and Commissioners shall and may respectively proceed to the Arraignment, Trial, Conviction and Punishment of Persons accused of any Crimes or Offences (High Treason excepted) in the same or like manner and form as near as the Condition and Circumstances of the Place and Inhabitants will admit of, as any of our Justices of the Peace or Commissioners of Oyer and Terminer and Gaol Delivery in England do or may proceed by virtue of any Commission by Us granted for that purpose: and shall and may respectively do all other Acts that Justices of the Peace and Commissioners of Oyer and Terminer and Gaol Delivery usually and legally do, and that the said Courts may assemble and adjourn at and unto such times and and places as they shall judge covenient.

Governor or President to take the usual Oaths,

And administer the same to the Council.

And We do hereby direct that the Governor or President of Fort St. George aforesaid shall, before the Council there or the major part of them, take an Oath faithfully to execute the said Offices of Justice of the Peace and Commissioner of Oyer and Terminer and Goal Delivery, together with the Oath of Allegiance. which Oaths they are hereby authorized and empowered to administer, and after the taking of such Oaths We do hereby authorize

authorize the said Governor or President to administer the same Oath to the rest of the Council as Justices of the Peace and Commissioners of Oyer and Terminer and Gaol Delivery.

Governor or President and Council of Fort William to act as Justices of the Peace and Commissioners of Oyer and Terminer and Gaol Delivery.

Any three or more of them (whereof the Governor or President, or in his absence the Senior Council present to be one) shall hold Sessions of the Peace and Oyer and Terminer, with the same Powers, &c. as herein before contained.

And We do further for Us our Heirs and Successors, give and grant unto the said Company, and their Successors, and do by these Presents ordain, direct, establish and appoint, that the Governor or President and Council of Fort William in Bengal aforesaid for the time being, shall be Justices of the Peace, and have Power to act as Justices of the Peace and as Commissioners of Oyer and Terminer and Gaol Delivery, and that they or any three or more of them (whereof the Governor or President, or in his absence the Senior of the Council then residing at Fort William aforesaid to be one) shall and may hold Sessions of the Peace and of Oyer and Terminer and Gaol Delivery respectively, in and for the said Town or Factory of Calcutta at Fort William in Bengal, and other the Factories subordinate thereto, and do all such other acts as Justices of the Peace and Commissioners of Oyer and Terminer and Gaol Delivery, with such Powers, Jurisdiction and Authorities, under such Regulations and Restrictions as are herein before given, granted, limited and appointed, concerning Justices of the Peace and Commissioners of Oyer and Terminer and Gaol Delivery of the said Town of Madraspatnam.

ACT 13TH GEO. 3D CAP. 63.

Section. 13.—Authorises his Majesty to establish by Charter a Supreme Court of Judicature at Fort William.

So much of the foregoing Charter as relates to the Establishment of the Mayor's Court at Calcutta repealed, but in all other respects to remain in force.

19. And be it further enacted by the Authority aforesaid, that so much of the said Charter granted by his said late Majesty as respects or relates to the establishment of the Mayor's Court at Calcutta aforesaid in Bengal, or to the Civil, Criminal or Ecclesiastical Jurisdiction thereof in the said United Company's Settlement there, or the Subordinates thereunto belonging, in case a new Charter shall be granted by his Majesty in pursuance of this Act, and shall be openly published at Fort William aforesaid, from and immediately after such publication, shall cease, determine, and be absolutely void to all intents and purposes;—but nevertheless the said Charter so granted by his said late Majesty, shall in all other respects and as for and concerning all or any other of the said Company's principal Presidencies or Settlements to which the same relates, or to any Factories or places now or hereafter to be subordinate to such principal Settlements, continue, be and remain in full force and virtue, according to the true intent and meaning thereof, and that as fully and effectually to all intents and purposes whatsoever, as if this Act had never been made, or such new Charter as aforesaid should never have been granted.

20. And be it further enacted by the Authority aforesaid, that all the Records, Muniments and Proceedings whatsoever of and belonging to the said Mayor's Court at Calcutta aforesaid, or to the Court of Oyer and Terminer

All the records of the Mayor's Court and of the Court of Oyer and Terminer to be delivered over to the new Court of Judicature.

Terminer and Gaol Delivery at Fort William aforesaid, established by the said Charter of his said late Majesty, shall from and immediately after such Court of Judicature which his Majesty is hereinbefore empowered to erect, shall be established at Fort William as aforesaid, be delivered over, preserved and deposited for safe Custody in the said new Court of Judicature, to which all parties concerned shall and may resort and have recourse upon application to the said Court.

Governor General and Council authorized to make Regulations for the good Order and Civil Government of the settlement of Fort-William, not repugnant to the Laws of the Realm.

To be duly registered and published in the Supreme Court

Persons in India may appeal against the same.

Within Sixty Days after publication.

Persons in England may also appeal within Sixty Days after publication in England.

36. And be it further enacted by the Authority aforesaid, that it shall and may be lawful for the Governor General and Council of the said United Company's Settlement at Fort William in Bengal, from time to time to make and issue such Rules, Orders and Regulations, for the good Order and Civil Government of the said United Company's Settlement at Fort William aforesaid, and other places and Factories subordinate or to be subordinate thereto as shall be deemed just and reasonable; such Rules Order and Regulations not being repugnant to the Laws of the Realm, and to set, impose, inflict and levy reasonable Fines and Forfeitures for the breach or nonobservance of such Rules, Ordinances, and Regulations;—but nevertheless, the same or any of them shall not be valid or of any force or effect until the same shall be duly registered and published in the said Supreme Court of Judicature, which shall be by the said new Charter established, with the consent and approbation of the said Court, which Registry shall not be made until the expiration of Twenty Days after the same shall be openly published, and a Copy thereof affixed on some conspicuous part of the Court House, or place where the said Supreme Court shall be held, and from and immediately after such Registry as aforesaid, the same shall be good and valid in Law;—but nevertheless it shall be lawful for any person or persons in India, to appeal therefrom to His Majesty, his Heirs and Successors in Council, who are hereby empowered, if they think fit, to set aside and repeal any such Rules, Ordinances and Regulations respectively, so as such Appeal or Notice thereof be lodged in the said new Court of Judicature within the space of Sixty Days after the time of the registering and publishing the same; and it shall be lawful for any person or persons in England to appeal therefrom in like manner within Sixty Days after the publishing the same in England. And it is hereby directed and required that a Copy of all such Rules, Ordinances and Regulations, from time to time as the same shall be so received, shall be affixed in some conspicuous and public place in the India House, there to remain and be resorted to as occasion shall require—yet nevertheless such appeal shall not obstruct, impede or hinder the immediate execution of any Rule, Ordinance or Regulation so made and registered as aforesaid, until the same shall appear to have been set aside or repealed upon the hearing and determination of such Appeal.

Copies of all such Regulations to be transmitted to one of the principal Secretaries of state.

37. Provided always and be it enacted by the Authority aforesaid, that the said Governor General and Council shall, and they are hereby required, from time to time to transmit Copies of all such Rules, Ordinances and Regulations as they shall make and issue to one of His Majesty's Principal Secretaries of State for the time being; and that it shall and may be lawful to and for his said Majesty, his Heirs and Successors, from time to time as they shall think necessary, to signify to

the

the said United Company, under his or their sign Manual, his or their disapprobation and disallowance of all such Rules, Ordinances, and Regulations, and that from and immediately after the time that such disapprobation shall be duly registered and published in the said Supreme Court of Judicature at Fort William in Bengal, all such Rules, Ordinances, and Regulations, shall be null and void; but in case His Majesty, his Heirs, and Successors, shall not within the space of two years from the making such Rules, Ordinances, and Regulations, signify his or their dispprobation or disallowance thereof as aforesaid, that then and in that case all asuch Rules, Ordinances, and Regulations, shall be valid and effectual and have full force.

His Majesty may under Sign Manual signify his disapprobation and disallowance thereof. And after due registry and publication thereof in the Supreme Courts the said rules, &c. to be void. If not within two years to be valid.

38. And be it further enacted by the Authority aforesaid, that the Governor General and Council for the time being of the said United Company's Settlement at Fort William, and the Chief Justice and other Judges of the said Supreme Court of Judicature, shall and may, and they are hereby respectively declared to be and to have full Power and Authority to act as Justices of the Peace for the said Settlement, and for the several Settlement and Factories subordinate thereto, and to do and transact all matters and things which to the office of a Justice or Justices of the Peace do belong or appertain; and for that purpose the said Governor General and Council are hereby authorized and empowered to hold Quarter Sessions within the said Settlement of Fort William aforesaid, four times in every year, and the same shall be at all times a Court of Record.

Governor General and Council, and Chief Justice and other Judges of the Supreme Court, to act as Justices of the Peace, Governor General and Council authorized to hold Quarter Sessions four times in the year.

CHARTER, Dated 26th March 1774.—14th GEO. 3d.

And to the end that the said Court of Requests and the said Court of Quarter Sessions, erected and established at Fort William in Bengal, by the said Charter of our said Royal Grandfather, made in the 26th year of his Reign, and the Justices, Sheriffs and other Magistrates thereby appointed for the said districts, may better answer the ends of their respective Institutions, and act more conformably to Law and Justice.—It is our further Will and Pleasure, and we do hereby further grant, ordain and establish that all and every of the said Courts and Magistrates shall be subject to the Order and Controul of the said Supreme Court of Judicature at Fort William in Bengal, in such sort, manner and form as the inferior Courts and Magistrates of and in that part of Great Britain called England, are by Law subject to the Order and Controul of our Court of King's Bench, to which end the said Supreme Court of Judicature at Fort William in Bengal is hereby empowered and authorized to award and issue a Writ or Writs of Mandamus Certiorari, Procedendo or Error, to be prepared in manner hereinbefore mentioned and directed to such Courts or Magistrates as the case may require, and to punish any Contempt or wilful Disobedience thereunto by Fine and Imprisonment.

And it is our further Will and Pleasure, that from and after such publishing and proclaiming of the said Supreme Court of Judicature at Fort William

After publication of Supreme Court, the Mayor's Court and Court of Oyer and Terminer and Delivery, established by Charter 26th Geo. 2d abolished.

William in Bengal, the said Mayor's Court of Calcutta at Fort William in Bengal aforesaid, granted, erected and created by and in the above mentioned Charter, made in the 26th year of our said Royal Grandfather, and also the Court of Record in the nature of a Court of Oyer and Terminer and Gaol Delivery, erected and created by the said Charter, and all the Authority therein given to the President or Governor or Council of Fort William in Bengal, to be or act as Commissioners of Oyer and Terminer and Gaol Delivery, and every Clause and Article in the said Charter, which extends or relates to the Establishment of the said Mayor's Court of Calcutta at Fort William in Bengal, or the said Court of Oyer and Terminer and Gaol Delivery, or to the Civil, Criminal or Ecclesiastical Jurisdiction of the said Courts, or any of them, shall cease, determine and be utterly void to all intents and purposes, &c. &c. For which purpose it is our further Will and Pleasure that all the Records. Muniments and Proceedings whatsoever of and belonging to the said Mayor's Court of Calcutta at Fort William in Bengal, or to the said Courts of Oyer and Terminer and Gaol Delivery, shall be delivered over, deposited and preserved among the Records of the said Supreme Court of Judicature at Fort William in Bengal.

26TH GEO. 3D CAP. 57.

All Servants of the Company & British Subjects amenable to the Court of Oyer & Terminer and Court of General or Quarter Sessions, for all Murders, Felonies, &c.

Section 29. And be it further enacted, that as well the Servants of the said United Company as all other of His Majesty's Subjects resident or to be resident in India, shall be and are hereby declared to be amenable to the Courts of Oyer and Terminer and Gaol Delivery and Courts of General or Quarter Sessions of the Peace in any of the British Settlements in India, for all Murders, Felonies, Homicides, Manslaughters, Rapes of Women, Perjuries, Confederacies, Riots, Routes, Retainings, Oppressions, Trespasses, Wrongs and other Misdémeanors, Offences, and Injuries whatsoever by them done, committed, perpetrated, or to be by them hereafter done, committed or perpetrated in any of the Countries or parts of Asia, Africa or America, beyond the Cape of Good Hope, to the Streights of Magellan, within the limits of the exclusive Trade of the said United Company, whether the same shall have been done, committed or perpeteated, or shall hereafter be done, committed or perpetrated against any of Mis Majesty's Subjects or against any other person or persons whatever.

33D GEO. 3D CAP. 52.

Recites that Governor General and Members of Council and Judges of Supreme Court are at present the only Justices of the Peace.

Section. 151. And whereas the Governor General and the other Members of the Supreme Council of Fort William in Bengal, and the Chief Justice and other Justices of the Supreme Court of Judicature at Fort William aforesaid, are at present the only persons authorized by Law to act as Justices of the Peace within and throughout the Provinces, Districts and Countries of Bengal, Behar and Orissa, and the Governor or President

President and the other Members of the Council of Fort Saint George on the Coast of Coromandel, and the Governor or President and the other Members of the Council of Bombay, are the only persons authorized by Law to act as Justices of the Peace in and for the Presidency of Fort Saint George, and the Presidency, Island, Town and Factory of Bombay, and the places belonging and subordinate to the said two last mentioned Presidencies respectively—And whereas for preserving and maintaining the Peace in the Provinces and Presidencies aforesaid, and the places subordinate thereto, it is expedient that a further number of persons should be appointed to act as Justices of the Peace in and for the same respectively—Be it therefore futher enacted, that it shall and may be lawful to and for the Governor General and Council of Fort William in Bengal for the time being, by Commissions to be from time to time issued under the Seal of the Supreme Court of Judicature there, in the Name of the King's Majesty, his Heirs and Successors, tested in the Name of the Chief Justice of the said Court, which said Commissions the said Supreme Court of Judicature is hereby authorised and required from time to time by any Order or Warrant from the said Governor General in Council to issue accordingly, to nominate and appoint such and so many of the Covenanted Servants of the said Company or other British Inhabitants as the said Governor General in Council shall think properly qualified to act as Justices of the Peace within and for the said Provinces and Presidencies and places thereto subordinate respectively; and such persons shall according to the tenor of the respective Commissions wherein they shall be so nominated and appointed, and by virtue thereof and of this Act, have full power and Authority to act as Justices of the Peace according to the tenor of the same Commissions wherein they shall be respectively named in and for the Provinces and Presidencies aforesaid, and places subordinate thereto respectively; and the said Supreme Court upon any Requisition in writing from the said Governor General in Council, shall and may supersede such Commissions and upon like Requisition issue new Commissions for the purposes aforesaid unto the same, or such other of the Covenanted Servants of the said Company or other British Inhabitants as shall from time to time be so nominated by the said Governor General and Council in, that behalf, all which Commissions shall be filed of Record in the respective Courts of Oyer and Terminer of the Province, Presidency or place wherein and for which the same shall be issued as aforesaid—Provided always that the persons who shall be so nominated and appointed as aforesaid shall not be capable of holding any Court of Oyer and Terminer and Gaol Delivery, nor to sit in any such Court, unless the Justices of the said Court shall on any particular occasion call upon them so to do, in which case and so often as the same shall happen, the persons so called upon shall and may for that time associate with them and sit as Justices of the said Court of Oyer and Terminer and Gaol Delivery, by virtue of this Act, and have a deliberative Voice, being first specially authorized for that purpose by Order in Council.

Governor General and Council by Commissions issued under the Seal of the Supreme Court, may nominate so many of the Covenanted Servants of the Company or other British Inhabitants as they may think qualified to act as Justices of the Peace.

According to the Tenor of Commissions.

Proviso that persons so nominated shall not be capable of holding any Court of Oyer and Terminer and Gaol Delivery, or to sit therein, unless the Justices of the said Court shall on any particular occasion call upon them so to do, being first specially authorised by order in Council.

152. Provided always and be it further enacted, that no person to be nominated and appointed in and by any such Commission as aforesaid, shall be capable of acting as a Justice of the Peace in any of the said Provinces

No such person to act as a Justice of the Peace, until he shall have taken in the Court of Oyer and Terminer the usual Oaths.

Exception of Oath prescribed by Act 18th Geo 2d.

Provinces or Presidencies, until he shall have taken and subscribed in the Court of Oyer and Terminer of the Province or Presidency, for which he shall have been appointed, to act as a Justice of the Peace, the like Oaths as are appointed to be taken by the Justices of the Peace in Great Britain, or as nearly to the tenor thereof as the case will admit, and as shall be approved by the said Court, the Oath of Qualification prescribed by an Act of the 18th year of His late Majesty King Geo. 2d. entituled "an "Act to amend and render more effectual an Act passed in the 5th year "of His present Majesty's Reign," entituled "an Act for the Qualifica-"tion of Justices of the Peace," only and always excepted.

All Convictions, Judgments, Orders, &c. made by or before any Justice of the Peace, removeable by Certiorari into the Court of Oyer and Terminer within six Months.

To be proceeded upon in the like manner as in the Court of King's Bench at Westminster.

153. Provided always and be it further enacted, and declared, that all Convictions, Judgements, Orders, and other Proceedings which shall be had, made or pronounced by or before any Justice or Justices of the Peace within any of the British Settlements or Territories in India, out of the Court of Oyer and Terminer within and for the same, shall and may be removable by Writ of Certiorari into the Court of Oyer and Terminer and Gaol Delivery of and for the same Presidency, at the instance of any of the parties thereby affected or aggrieved, at any time within the space of Six Calender Months next after the making or pronouncing thereof respectively. And for that purpose it shall and may be lawful to and for any one or more of the Justices of the said Court of Oyer and Terminer and Gaol Delivery, and such Justice or Justices is and are hereby at the instance of such party or parties to grant his fiat or warrant to the Keeper of the Rolls of the Peace, or other proper Officer, to award a Writ of Certiorari under the Seal of the Supreme Court of Judicature, when the matter shall arise in Bengal, Behar, or Orissa, or if it shall arise in the Presidency of Fort St. George, or in the Presidency of Bombay, or in any Settlement or place subordinate thereto respectively, then under the Seal of the Mayor's Court of the Presidency wherein the Matter shall so arise, or to which the cognizance thereof shall belong, for the removal and bringing of such Conviction, Judgment, Order, or other Proceeding into the said Court of Oyer and Terminer and Gaol Delivery, and that the said Court of Oyer and Terminer and Gaol Delivery shall have full Power and Authority to hear and determine the Matter of such Conviction, Judgment, Order, and other Proceeding so removed, and to quash or affirm the same, so that the same be not quashed for want of form, but on the merits only, and to pronounce Judgment thereon in the like manner as the Court of King's Bench at Westminster can or may do upon Convictions, Judgments, Orders, or other Proceedings had or made, by or before any Justices of the Peace, or Court of Quarter Sessions in England, removed or brought into the said Court of King's Bench by Writ of Certiorari.

Before granting such writ, Recognizances to entered into.

154. Provided also and be it enacted and declared, that before the granting of any such Writ the like Recognizances shall be entered into, and, the party or parties applying for such Writ shall be put under the same terms and conditions in all respects as are by Law directed and provided in the cases of Writs of Certiorari awarded or granted for the removal of any Conviction, Judgment, Order or other Proceeding had or

or made by or before any Justice or Justices of the Peace in England into the said Court of King's Bench, or as by the usage and practice of the same Court hath been accustomed.

155. And be it further enacted, that it shall and may be lawful for the Governor General in Council of Fort William, or the Governor of Fort Saint George and Bombay, by any Order to be made in their Councils respectively, to call any of the Justices of the Peace authorized by any such Commission or Commissions as aforesaid, to sit and associate with the said Governor General in Council, or Governor in Council, for the more speedy hearing and determining Causes appealed, and that the said Justices shall and they are hereby authorized and required when so called upon, to act as Justices in the Court of Appeals accordingly, and to have and use deliberative Voices in all Proceedings upon such Appeals.

Governor General in Council may call any of the said Justices to sit and associate with them in cases of appeal.

158. And whereas by an Act of the first year of the Reign of his late Majesty King George the First, intituled an Act for making the Laws for repairing the Highways more effectual, Provision was made for authorizing Justices of the Peace in Cities and Market Towns, at their General or Quarter Sessions, to appoint Scavengers for cleaning and repairing the Streets of the same, and to raise Money by Assessments upon the Inhabitants, for defraying the expences thereof—And whereas by an Act passed in the seventh year of the Reign of his present Majesty, to amend and reduce into one Act, the Statutes for the Amendment and Preservation of the Public Highways,—It was enacted, that the said recited Act of the first year of King George the First, should be repealed—And whereas it is essentially necessary for the Health, as well as for the Security, Comfort and Convenience of the Inhabitants of the Towns and Factories of Calcutta, Madras and Bombay in the East Indies, that the Streets therein should be regularly and effectually cleansed, watched and repaired—Be it therefore enacted, that it shall and may be lawful to and for the Justices of the Peace within or for the Presidencies of Fort William, Fort St George and Bombay respectively, for the time being, or the major part of them, from time to time assembled at their General and Quarter Sessions, to appoint Scavengers, for cleansing the Streets of the said Towns or Factories of Calcutta, Madras and Bombay respectively, and to nominate and appoint such Persons, as they shall think fit in that behalf, and also to order the Watching and Repairing of the Streets therein as they respectively shall judge necessary; and for the purpose of defraying the Expences thereof, from time to time to make an equal Assessment or Assessments on the Owners or Occupiers of Houses, Buildings and Grounds, in the said Town or Factories respectively, according to the true and real annual Values thereof, so that the whole of such Assessment or Assessments shall not exceed in any one year, the proportion of one twentieth part of the gross annual Values thereof respectively, unless any higher rate of Assessment shall in the Judgment of the Governor General in Council, or Governor in Council, of the said respective Presidencies, become essentially necessary for the Cleansing, Watching or Repairing thereof, in which case the said Governor General in Council or Governor in Council shall and may on any such

Recital of Act 1, Geo. I.

And Act 7 Geo. 3.

Justices of the Peace assembled at their General and Quarter Session may appoint Scavengers for cleaning the Streets of Calcutta and order the Watching and Repairing of the Streets therein.

And for such purpose to make equal assessment on the Owners or Occupiers of Houses, Buildings and Grounds, according to the true and real annual values thereof.

Not exceeding one twentieth part of the gross annual value.

Unless any higher rate shall in the Judgement of the Governor General in Council become essentially necessary.

such urgent occasion, by Order in Council, authorize a further Assessment, not exceeding in any one year, the half part of the Amount of the ordinary Annual Assessment hereinbefore limitted. and that it shall be thereupon lawful for the said Justices to make a further Assessment, according to the tenor of such Order, and not otherwise, or in any other manner, and that all and every such Assessment or Assessments shall and may from time to time be levied and collected by such person or persons, and in such manner, as the said Justices, by their Order in Session. shall direct and appoint in that behalf, and the Money thereby raised, shall be employed and disposed of, according to the Orders and Directions of the said Justices in Session respectively, for and towards the Repairing, Watching and Cleansing the said Streets, and for no other purpose, and that the said Assessments being allowed under the Hands and Seals of such Justices, or any two or more of them. shall and may be levied by Warrant, under their Hands and Seals or the Hands and Seals of any two of them, by Distress, and Sale of the Goods and Chattels of any Person or Persons, not paying the same within eight days after demand, rendering the Overplus, (if any be,) to the same person or persons, the necessary Charges of making, keeping and selling such Distress or Distresses being first deducted.

Assessments to be collected by such persons as the Justices by order in Session shall appoint.

And all Monies thereby raised applied for the purposes aforesaid only.

To be levied by Warrant under the hand of two Justices by distress and sale.

159. And be it further enacted, that it shall not be lawful for any person or persons to sell any Arrack, or other Spirituous Liquors, within the Towns or Factories of Calcutta, Madras or Bombay respectively, without a License for that purpose under the Hands and Seals of two or more of the Justices of the Peace, having Jurisdiction, and that the Powers and Authorities vested by any Laws or Statutes now in force. in that part of Great Britain, called England. in any Justices of the Peace, for restraining the inordinate Sale of Spirituous Liquors, shall extend to and be put in force against all Unlicensed Traders in Spirits or Spirituous Liquors, within the said Towns and Factories respectively, by the Justices having Jurisdiction therein, and that if any question shall arise, touching or concerning the true limits and extent of the said Towns and Factories, or any of them, the same shall be inquired into by the Governor General in Council at Fort William, in respect to the limits and extent of Calcutta, and by the Governor in Council of Fort St. George, in respect to the limits and extent of Madras. and the Governor in Council at Bombay, in respect of the Town of Bombay; and that such limits as the said respective Governments, by order in Council, shall declare and prescribe to be the limits of the said Towns and Factories respectively, shall be held deemed and taken in Law as the true limits of the same—Any custom or usage to the contrary notwithstanding.

No person to sell Arrack or other Spirituous Liquors within the Settlement without License under the Hands and Seals of two Justices.

If any question as to Limits of the Settlement, to be decided by Governor General in Council.

39TH AND 40TH GEO 3D CHP. 79.

Section 13. AND be it further enacted, where any person or persons shall have been convicted at any Session of Oyer and Terminer or Gaol Delivery, or any Session of the Peace, which shall have been holden for any of the said Presidencies or Settlements of Fort William and Fort St. George,

Persons convicted at any Session of Oyer and Terminer or any Session of the peace

George, and the said Presidency or Isle of Bombay, of the crime of Perjury or Grand or Petit Larceny, or of any other Offence, for which such persons would before the passing of this Act, have been liable by the Laws of this Realm, to be transported, it shall and may be lawful for the Court, before which any such person or persons shall be so convicted as aforesaid, or any subsequent Court, holden at any of the Presidencies above mentioned respectively, with like authority, to order and adjudge that such person or persons so convicted as aforesaid, shall be transported to the Eastern Coast of New South Wales, or some one or other of the Islands adjacent or elsewhere and for such term of years as the Court shall direct. And where any person or persons shall hereafter be convicted for any Crimes whatsoever, for which he, she or they is, are, or shall be by the Laws of this Realm, as extending to the British Dominions in India, excluded from the benefit of Clergy, it shall and may be lawful to and for such Court respectively, as they shall see fit, instead of awarding Sentence of Execution against such Offender or Offenders, to order such Offender or Offenders to be in like manner transported either for Life, or for such number of Years, as such Court shall award and order, and the Governor and Council of such Presidency respectively shall and they are hereby required to make Order for the due Performance of all such Sentences of Transportation accordingly—Provided always, that it shall not be lawful for any such Court to order the Transportation of any person or persons being Natives of India, and not born of European Parents to the Eastern Coast of New South Wales, or any of the Islands adjacent thereto.

of Perjury or General or Petit Larceny, liable to Transportation.

18. And whereas the powers given by the Act of the 13th year of his present Majesty of the Governor General and Council of the said United Company's Settlement at Fort William aforesaid, to enforce the Observance of such Rules, Ordinances or Regulations for the good order and Civil Government of the said Settlement and other Factories and places subordinate or to be subordinate thereto, as they are thereby authorized to make, by setting, imposing and levying reasonable Forfeitures for the breach or non-observance of such Rules Orders and Regulations, have not been found sufficient for the Preservation of good Order in the said Settlement—Be it therefore enacted that it shall and may be lawful to and for the said Governor General and Council for the time being, in addition, or instead of such Fines and Forfeitures as abovementioned to order or appoint such moderate and reasonable Corporal Punishment by public or private Whipping, or otherwise as to them shall seem fit and expedient, for the breach or non-observance of any such Rules heretofore made, or hereafter to be by them made, by virtue of the Authority herein before recited, subject nevertheless to such Registry, Publication, Approbation, Power of Appeal and other Regulations as in and by the said recited Act passed in the thirteenth year of his present Majesty, are prescribed and provided, touching the Rules, Ordinances, Regulations, Fines and Forfeitures therein and hereinbefore mentioned.

Recital that Powers given by Act 13th Geo. 3, to the Governor General and Council to enforce the Observance of their, Rules and Regulations by fines, &c. had proved insufficient.

Governor General and Council authorized to order moderate Corporal Punishment for breach of same.

19. Provided always and be it further enacted, that no such Corporal Punishment shall in any Case be ordered to be inflicted, except only in Case of due Conviction of the Offender before two Justices of the Peace acting

Corporal punishment only to be inflicted in

case of Conviction before Two Justices. Proviso that no such Conviction &c. shall be brought into superior Court by Writ of Certiorari.

acting in and for the said Settlement, Presidencies and places thereto subordinate, which Offence two Justices of the Peace are hereby authorized and empowered to hear and determine, and to order such Punishment upon Conviction as aforesaid—Provided also that no such Conviction, Judgment or Order shall be received or brought into any Superior Court by Writ of Certiorari or Appeal, or any other process whatsoever—any thing in any former Act to the contrary thereof in any wise notwithstanding.

53D GEO, 3D CAP. 155.

Recital of Inconvenience from requiring Civil Servants, and others to attend and take the Oaths in the Courts of Oyer and Terminer.

Such persons may take the Oaths in any Civil or Criminal Court of Justice, within the Provinces for which Commissions issued.

112. And whereas great inconvenience has arisen from requiring the Civil Servants of the said United Company, and other persons stationed at a distance from the Presidencies, to attend and take the Oaths in the Courts of Oyer and Terminer of the Presidencies, as prescribed by the said Act of Parliament of Great Britain of the thirty-third year of his Majesty's Reign—Be it therefore enacted that all persons who shall be nominated and appointed in any such Commissions of the Peace as are in the said Act mentioned, shall be capable of acting as Justices of the Peace in every respect, according to the Tenor of such Commissions, upon taking and subscribing in any Civil or Criminal Court of Justice within the Provinces in and for which any such Commission shall have issued, before any other Justice of the Peace, the like Oaths as are appointed by the said Act to be taken in the Court of Oyer and Terminer of the Province or Presidency for which such persons shall be appointed to act as Justices of the Peace, and the Subscription of such persons to the said Oaths shall be deposited and kept with the Records of the Courts of Justice in which the said Oaths shall have been administered.

COMMISSION OF THE PEACE.

GEORGE the Third by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith and so forth, to our Trusty and well beloved [*Here follow the names contained in the warrant of the Governor General in Council*] respectively, Covenanted Servants of the United Company of Merchants of England trading to the East Indies, or British Inhabitants of the Presidency of Fort William in Bengal, or of the Provinces, Districts, and Countries of Bengal, Bahar, and Orissa, or of the places subordinate to the said Presidency of Fort William in Bengal, Greeting:—Whereas in and by an Act of Parliament made and passed in our Parliament at a Session thereof holden at Westminster in the Thirty-third year of our Reign, entituled "An Act "for continuing in the East India Company for a further Term the pos-"session of the British Territories in India, together with their exclusive "Trade, under certain limitations, for establishing further Regulations "for the Government of the said Territories and the better Administra-"tion of Justice within the same, for appropriating to certain Uses the "Revenues and Profits of the said Company, and for making Provision "for the good Order and Government of the Town of Calcutta, Madras "and Bombay," After reciting that the Governor General and the other Members of the Supreme Council of Fort William in Bengal and the Chief Justice and other Justices of the Supreme Court of Judicature at Fort William aforesaid, were at the time of passing the said Act the only persons authorised by Law to act as Justices of the Peace within and throughout the Provinces, Districts and Countries of Bengal, Bahar and Orissa, and the Governor or President and the other Members of the Council of Fort Saint George on the Coast of Coromandel, and the Governor or President and the other Members of the Council of Bombay, were the only persons authorised by Law to act as Justices of the Peace in and for the Presidency of Fort Saint George, and the Presidency, Island, Town and Factory of Bombay, and the places belonging and subordinate to the said two lastmentioned Presidencies respectively, and that for preserving and maintaining the Peace in the said Provinces and Presidencies aforesaid, and the places subordinate thereto, it was expedient that a further number of persons should be appointed to act as Justices of the Peace in and for the same respectively; It was and is amongst other things enacted that it shall and may be lawful to and for the Governor General in Council of Fort William in Bengal for the time being, by Commission to be from time to time issued under the Seal of our Supreme Court of Judicature there, in the name of Us, our Heirs and Successors, tested in the name of the Chief Justice of our said Court (which said Commission our said Supreme Court of Judicature is by the said Act authorised and required from time to time by any Order or Warrant from the said Governor General in Council to issue accordingly,) to nominate and appoint such and so many of the Covenanted Servants of the said Company, and other British Inhabitants as the said Governor General in Council shall think properly qualified to act as Justices of the Peace within and for the said Provinces, Districts, and Countries of Bengal, Bahar, and Orissa, and within and for the said Presidency of Fort William in Bengal, and places thereto subordinate, and that such persons shall according to the Tenor of the respective Commissions, wherein they shall be so nominated and appointed, and by Virtue thereof and of the said Act have full Power and Authority

to

to act as Justices of the Peace according to the Tenor of the same Commission wherein they shall be respectively named in and for the Provinces of Bengal, Bahar, and Orissa aforesaid, and within and for the Presidency of Fort William in Bengal aforesaid, and places subordinate thereto—And Whereas our Trusty and well-beloved Francis, Earl of Moira, Governor General now being, did by virtue of and in pursuance of the said Act of Parliament duly make in Council his certain Order or Warrant, bearing date the Twelfth day of February in the year of our Lord One Thousand Eight Hundred and Seventeen. and to our Chief Justice and other our Justices of the said Supreme Court, directed for issuing a Commission of the Peace, nominating and appointing you to act as Justices of the Peace within and for the said Provinces, Districts, and Countries of Bengal, Bahar and Orissa, and within and for the said Presidency of Fort William in Bengal and places thereto subordinate, according to all the Powers and Provisions of the said Act, and the true meaning and construction thereof—Now know ye that We have accordingly assigned you jointly and severally, and every one of you our Justices to keep our Peace within and for the said Provinces, Districts and Countries of Bengal, Bahar and Orissa, and within and for the said Presidency of Fort William in Bengal, and places thereto subordinate, or any or either of them, and to keep and cause to be kept all Ordinances and Statutes made for the good of our Peace and for the Conservation of the same, and for the quiet Rule and Government of our Subjects and People in all and every the Articles thereof, within the said Provinces, Districts and Countries of Bengal, Bahar and Orissa, and within and for the said Presidency of Fort William in Bengal and places thereto subordinate, as well within liberties as without, according to the Force. Form and Effect of the same, and to chastise and punish all persons offending against the form of those Ordinances and Statutes, or any or either of them within the said Provinces, Districts and Countries of Bengal, Bahar and Orissa, and within and for the said Presidency of Fort William in Bengal and places thereto subordinate, or any of them, as according to the form of those Ordinances and Statutes, or any of them shall be fit to be done, and to cause to come before you or any of you all those Persons who shall threaten any of our People touching their Bodies or Persons, or the burning or firing their Houses, to find sufficient Security for the Peace for their good Behaviour towards Us and our People, and if they shall refuse to find such Security then to cause them to be kept safe in some of the Prisons of the said Provinces, Districts or Countries of Bengal, Bahar and Orissa, or of the said Presidency of Fort William in Bengal or places thereto subordinate, until they shall find such Security, and further to do and cause to be done all other Acts to the office of Justice of the Peace appertaining, which under and by virtue of the said Statute, or by virtue of any other Law or Statute now in force, may lawfully be done by any Justice or Justices of the Peace within the said Provinces, Districts and Countries of Bengal, Bahar and Orissa, the said Presidency of Fort William in Bengal and places thereto subordinate, and therefore We command you diligently to apply yourselves to the keeping of our Peace, Ordinances and Statutes and all and singular other the Premises, and to perform and fulfil the same in form aforesaid, doing therein that which to Justice appertaineth, according to our Laws and Statutes, saving to Us the things to Us in respect thereof belonging. Witness Sir Edward Hyde East, Knight Chief Justice of our said Court, the Thirteenth day of February in the year of our Lord One Thousand Eight Hundred and Seventeen, and in the Fifty-seventh Year of Our Reign.

ABSTRACTS OF
FORMER RULES, ORDINANCES & REGULATIONS
SINCE REPEALED.

FIRST.—A RULE, &c. for the better Management of the Police of the Town of Calcutta.

PASSED IN COUNCIL 29th June.—REGISTERED IN SUPREME COURT, 25th July, 1778.

1 SUPERINTENDENT of Police appointed, CHARLES STAFFORD PLAYDELL, Esq. first Superintendent.

On Conviction of Oppression, &c. before two Justices, of whom one to be the Governor General, or one of the Counsil, and the other the Chief Justice, or one of the Justices of the Supreme Court, to be suspended until the first Sessions of Oyer and Terminer thereafter.

May Appeal to the said Sessions.

If he does not appeal in fourteen days, or give notice of Appeal, the Office to be vacated.

In case of Vacancy by Death, &c. Governor General in Council to appoint Successor.

II. Deputy or Assistant to be appointed.

May be finally removed on conviction before two Justices as aforesaid.

In case of Death, &c. Governor General in Council to appoint Successor.

III. Fixes Salary of the Superintendent at Sicca Rupees 12 Hundred per Month. Deputy, Sicca Rupees Four Hundred per Month.

IV. Superintendent may appoint Native Officers, one Naib, thirty-one Thannadars, thirty-four Naib Thannadars, two Jemadars, and not fewer than Seven hundred Pykes.

Shall station and arm them, &c.

V. All standing Orders, &c. of Superintendent to be made for the better direction of his Thannadars &c. to be entered in Books, and such Entries signed by Superintendent, to be delivered to the Naib, &c.

And within one Week to be reported to the Governor General and Chief Justice.

VI. Superintendent may punish his Native Officers.

And required to take Obligations in writing, and Security from them, for the faithful discharge of their duty, and to be answerable for Robberies, &c. and restoration of stolen Goods &c.

And to enforce such Obligations.

VII. Native Officers to keep Watch & Ward, to apprehend all Night Walkers, &c.

Superintendent to examine all such persons and all Servants and Workmen charged with Misbehaviour, &c.

And into all Treasons, Murders, &c. and send the accused with the depositions, &c. to one of the Justices of the Peace, to be dealt with according to Law.

To have personal Jurisdiction over petty Larcenies, &c.

VIII. Decoyts may be detained, to be sent to Court of competent Jurisdiction.

IX. Superintendent to report his Proceedings when called upon.
And for that purpose to keep separate Books
Which are to be laid before the Governor General and the Chief Justice, twice a Year.

X, Superintendent to form a List or Register of all Europeans resident in Calcutta, or the Limits thereof, containing their Names, Country, Places of Abode, Occupation, &c.
To require from them all Information necessary.
And in case of refusal, to summon the Party refusing.
Proceedings thereupon.
Such List or Register to be laid before Governor General when required.

XI. Superintendent to make List or Register of all Shops, Shopkeepers, their Trade, Occupation, nature of Commodies vended. and Situation, Number. &c.— Changes occurring, &c. to be reported by Thannadars to the Superintendent.

XII. Thannadars to notify this Rule within one Month to all Shopkeepers, and to report such Notice to Superintendent.

XIII. Shopkeepers to keep Day Books of all Sales and Purchases of all Articles pledged, &c. with the Names of Persons pledging, &c.
Victuals, Fruits, or Liquors excepted.

XIV. Shopkeepers, Artificers or Tradesmen to enter Description of Jewels, &c. bought or received.

XV. No Goldsmith or Silversmith, or other person, shall buy or receive any Jewel, &c. except at Public Auction. or in some Shop, where publickly exposed for sale, or from persons of known Credit, without Notice to the Thannadar of the Division, and shewing him the Jewel, &c.
Who shall enter in a Book for that purpose, the Name of the Vender, Purchaser and Receiver, and description of Article sold, &c.
The Buyer or Receiver not to melt down or deface the same for the space of one Month.
No person to buy or receive any Gold or Silver Coin, Utensil, &c. bruised or defaced, or melted down, unless from persons of known Credit, to be produced on demand, and Notice of such Articles, &c. to be given to the Thannadar of the Division.

XVI. Justices of the Peace and Superintendent may inspect all such Shopkeepers' Books and summon parties.

XVII. Declares the Penalties to be inflicted for Neglect or Refusal to keep, and Omissions in the said Entries, and for all Offences in Buying, Selling and Receiving Jewels, &c.

XVIII. Offenders may be proceeded against in the ordinary way as Receivers of stolen Goods.

XIX. Directs the mode of levying Penalties, &c. the appropriation thereof, and of enforcing the same.

N. B. This Rule. Ordinance and Regulation was disapproved and disallowed by a Warrant under the Royal Sign Manual, dated at St. James' the 3d of July 1780. which was published and registered in the Supreme Court on the 20th June, 1783.

A RULE, &c. for the better Management of the Police of Fort William.

READ IN THE SUPREME COURT 25th October.—REGISTERED, 25th November, 1780.

PREAMBLE recites the Rule, Ordinance, and Regulation of the 25th of July 1778.

I. The Honorable Sir ROBERT CHAMBERS, Knight, HERBERT HARRIS, DAVID HILLICAN, WILLIAM PAXTON, CHARLES SEALY, JOHN SIMPSON, CUDBERT THORNHILL, ROBERT MACFARLANE, HENRY GRANT, JOHN FERGUSSON, THOMAS ADAMS, THOMAS MORRIS, and CHARLES WESTON, are hereby appointed Commissioners for the purposes of this Rule, and in case of death or refusal to act, &c. the Governor General in Council may appoint others in their place and stead.

II. The Powers and Authorities hereby vested in the said Commissioners, shall be exercised by the major part of them attending any of their Public Meetings, and their Acts, Orders, and Proceedings. shall be entered in a Book and signed by them, and shall be taken to be original Orders and Proceedings.

III. That after the first Monday after Registry of this Rule, a Meeting of Commissioners to be held, and the Senior Commissioner then present shall be the President at such Meeting, and in like manner at every subsequent Meeting.

Power given to them to adjourn Meetings to any future day, giving two days notice thereof to each Commissioner.

In default of such adjournment three of the Commissioners may by writing under their hands call a Meeting. In case of difference of opinion and there being an equality of voices, the President to have the casting voice.

No Proceedings of the Commissioners to be valid, except at such Meeting and unless there be three Commissioners present.

No Commissioner to be capable of acting as such whilst he enjoys any office of Profit, by virtue of the Powers given by this Rule, or have any Share or Interest in any Contract relating hereto.

IV. Commissioners may appoint and remove Clerks and Treasurers, and such other Officers as they shall find necessary for the purposes of this Rule.

And may out of the Monies arising by virtue of this Rule, appoint and pay Salaries, &c. to such Officers; such Appointments and Salaries, &c. to be approved of by Governor General and Council.

Commissioners to obey all Orders received from Governor General and Council —Provided that such Orders shall not extend to the requiring or authorising any application of the Monies levied by virtue of this Rule, except for the immediate benefit of of the Inhabitants of the Settlement, &c.

Commissioners are required to report to Governor General and Council, a true and exact state of the Roads, Streets, Drains, &c. with such Estimates and Proposals as they shall deem necessary for the purposes of this Rule.

V. Commissioners required to ascertain the annual value of all Shops, Lands, Houses, &c. for the purpose of assessing the same, and to transmit a statement thereof to the Governor General and Council, and if it shall appear that the said Commissioners omit or neglect to ascertain or determine, or shall undervalue or

overvalue

overvalue the Rent, Income or Value of any Shops, Lands, Houses, &c. then they are to renew and make fresh enquiry as to the annual Value, &c. and transmit such addition or alteration to the Governor General and Council.

VI. Governor General and Council may levy and collect an annual Rate or Tax on all Shops, Lands, &c.—On Shops, &c. in which Merchandize is exposed for sale, a rate of Two Annas in each Rupee on the Annual Rent, Income or value thereof, and on all other Lands, Houses, &c. One Anna in each Rupee on the annual Rent, &c.

VII. The said Rate so assessed to be paid by the Occupiers of such Shops, Lands, &c. who may deduct the same out of the Rent paid by them for the same respectively.

VIII. And upon Neglect or Refusal to pay such Rate or Tax, they may be summoned before the Commissioners, and three days after demand, and no just Cause shewn to the Contrary, the Collector may imprison and detain such Occupiers so neglecting or refusing, until the Rate be satisfied, otherwise the merits to be investigated by Commissioners.

Collectors are to pay the Monies collected to such persons as the Commissioners shall appoint, to be applied to the purposes of this Rule, and the Collectors are required once in every year to deliver to the persons impowered by the Commissioners to receive the same, a Duplicate of the Rate and Assessment for such year, with an Account thereof and of all Sums of Money rated and assessed which have been received, and of all Arrears, together with the Reasons of such Arrears.

The first rate and yearly assessment to begin and be made from the 1st January next ensuing.

IX. A Surveyor of Roads, Streets, Lands, &c. of the said Settlement to be appointed by the Governor General in Council, with such powers as after mentioned. Edward Teretta is appointed first Surveyor, with a Salary of Sicca Rupees One Thousand per month, payable out of the Monies arrising by virtue of this Rule:

X. Surveyor to survey the Settlement and the limits thereof, and such limits to be bounded as follows:—On the West by the Great Road leading from Baug Bazar Bridge to the Sepoy Cantonments at Chowringhee, and passing thro' Baug Bazar, Soobah Bazar, Checondunga, Mutchu Bazar, Loll Bazar, and Durrumtullah and Chowringhee,—On the North, by the Creek or Stream running from Shaumbazar or Cow Cross Bridge, and falling into the Hooghly River at Baug Bazar aforesaid, being part of the old Mahratta Ditch;—On the East, by the said Mahratta Ditch and the Great Road which terminates the Boundaries of Calcutta to the East, and on the Southward by the Road, commonly called the Columba Road, running in an oblique line from Chowringhee, into the Great Eastern Road or Boundary,—And to divide the said Settlement into several Districts or Wards, and to deliver to the Commissioners, an account of the same for approval or revisal, who shall name the Districts or Wards, and transmit the same respectively to the Governor General and Council, for their approbation.

Commissioners to number the Houses, &c and affix the names of each Street, &c. on some conspicuous part thereof together with the name of the District or Ward.

Persons

Persons defacing the same shall, on Conviction before Superintendant of Police, be punished by him, in manner therein mentioned.

Surveyor to survey and report to Commissioners the present state of Drains and Sewers, and necessity of additional Drains or Sewers, in what Directions, and over what Lands, and report the state of Roads, Streets, &c. and necessary Repairs, with an Estimate thereof.

Surveyor to obey the lawful orders of Commissioners, as to Repairs, &c. and shall cause the Dirt and Filth, which shall be taken out of the Drains, to be left at a sufficient distance therefrom, to be removed by the Scavenger, to whom he is to give notice.

Scavenger to remove the same within twenty-four hours, to such place as the Surveyor shall appoint.

Surveyor to mark out Waste Ground, belonging to the Company, for Lay Stalls.

Surveyor to deliver to the Commissioners an Estimate of the Sum, at which he will annually execute the Work, who are to report the same to the Governor General and Council, who may order them to contract with the said Surveyor for the same, but if the said Estimate is not approved of by the Governor General and Council, then the Commissioners to give Notice by Advertisement for persons to contract for such Work, and the Proposals so given by such persons to be transmitted to the Governor General and Council, with their Report and Opinion on the same.

XI. The Surveyor shall affix a public Notice in several conspicuous places, requiring persons willing to act as Scavengers, to send in their Proposals.

Scavengers to cause all Roads, Lands, Streets, &c. to be cleansed as the Surveyor shall think proper, and the Dirt, Filth, &c. to be carried away immediately, on pain of forfeiting on conviction, the sum of Sicca Rupees Fifty.

If Scavenger shall not perform his duties according to his Contract and Appointment, he shall for every such Omission of himself or Servants, forfeit the sum of Sicca Rupees Twenty, to be levied by Distress and Sale.

Persons throwing or laying Carrion, Dirt, Soil, or any Filth and Rubbish, &c. on any of the Roads, Streets, &c. or leaving any Carriages, Bricks, &c. for the space of four Hours, which may occasion any Annoyance, and being convicted thereof, before two Commissioners, shall forfeit a Sum not exceeding Fifty, nor less than Ten Sicca Rupees, to be levied by Distress and Sale.

The Surveyor may by writing under his hand, give liberty to any Inhabitant or others, to make Inclosures on the high way, before or on the sides of their Houses, &c. for the purposes of Building, &c. so that the length and breadth of such Inclosures be described in such licenses, and there be sufficient room for the passing of Carts, Carriages, &c. and shall immediately after sun-set, place a lighted Candle or Lamp, and continue the same until Day shall break.

XII. No person to burn or make any Bricks or Chunam, within two miles of the Settlement, and persons offending shall forfeit to Surveyor, all such Bricks and Chunam which may be seized by him, and to be applied to the purpose of this Rule, and Surveyor shall within twenty-four Hours, after such Seizure, give to Commissioners, a true account of the Nature and Quantity of the Things so seized by him, and the Names of the persons to whom the same belong, and such persons so making Bricks or Chunam, may be indicted for the said Nuisance.

XIII.

XIII. Surveyor shall survey and register all Lands, Houses, &c. and enter in a Book, kept for that purpose, the Names of the Owners thereof and of all Purchasers or Mortgagees of such Lands, &c. and such persons are required to produce to such Surveyor, the Deeds of such Purchase, &c. within one month after the execution of the same, if executed in Calcutta, or within six months if executed in any other part of the three Provinces of Bengal, Behar and Orissa, to be memorialized and subject to such Fees as therein mentioned, and every such Deeds as shall be executed, unless registered, shall be adjudged fraudulent and void against subsequent Purchasers and Mortgagees for valuable considerations, duly registered.

XIV. That no Pageant or Procession, during the time of the Mussulman, Mohurrum shall pass on the west of the great Road, leading from the Bridge of the Baug-bazar, near Chitpore to Chowringhee, and the Constables of the Settlement shall be stationed by the Commissioners, near the said limits to patrole the Streets, during the said Festival, and a Guard of Sepoys be appointed to aid the Constables; and if any Procession or any person accompanying the same, shall wilfully pass the said limits, or be guilty of any acts of Violence to be Constables or Sepoys, such Offenders may be apprehended and carried before a Magistrate, and on conviction, sentenced to hard labour for a space of time, not exceeding Six or less than One Month, or may be fined a sum not less than Five Hundred Sicca Rupees, nor more than Sicca Rupees, One Thousand.

XV. Commissioners to make and complete all such Roads, Passages, &c. as they shall think necessary, to be forty feet in breadth, except only the capital Streets to lead from the Baug Bazar bridge to the Esplanade, to be sixty feet in breadth, such Roads nearly as can be done to run in parallel lines at two hundred yards distant from each other, and to vary such distance, as they shall find expedient.

The Surveyor shall survey the Parts and Places last mentioned, and shall deliver to the Commissioners an Estimate of the sum at which he will annually execute the work, and Commissioners to report the same to the Governor General and Council, who may order them to contract with the Surveyor or other persons in manner aforesaid.

XVI Commissioners to have full power to treat and agree with the Owners of such Lands, &c. as it shall be necessary to purchase for the purpose last aforesaid.

XVII. Commissioners authorised to pay for the same Lands, &c. and also to pay for the making the said Drains, Roads, &c. out of the Funds to be raised in manner herein mentioned.

XVIII. Persons refusing to treat or agree for the sale of such Lands, &c. Commissioners shall cause the value of the said Premises to be inquired into by a Jury of twelve indifferent British Subjects, and what damages will be sustained by, and what Satisfaction ought to be made to such Owners, &c. and to summon all persons necessary to be examined on Oath, concerning the Prices, and if necessary the Jury to view the Place, and after they shall have ascertained such Damages the sums of Money so assessed to be paid to the persons interested in the Premises, and such Verdict shall be final and conclusive against all persons whatever.

XIX.

XIX. Persons entitled in Reversion or Remainder to any such Premises, the Money given as a satisfaction shall be settled to the same uses as the Premises were, unless persons interested consent to give up such Interest.

XX. Should any Disputes arise as to different titles of Premises, then the sums of Money so assessed shall be paid into the hands of the Accountant General of the Supreme Court, for the use of such persons as shall appear entitled thereto by any Decree or Judgment of the said Court.

XXI. Directs the mode of Proceedings for summoning Juries, &c.

XXII. No persons shall build or erect within the said Settlement, any Tenement, Dwelling House, &c. or cover or thatch the same with any combustible Materials.

XXIII. That no Tenement, Dwelling Houses, &c. constructed or covered with any combustible material, be allowed to stand or be within the said Settlement.

And if any Tenement, Dwelling House, &c. shall be erected with such Materials, the Surveyor shall pull down and demolish the same. and any person building and erecting such Houses, with such combustible Materials. may on complaint by the Surveyor be summoned before a Justice, of the Peace, and on conviction shall forfeit for the first offence, a sum not exceeding fifty, nor less than five Sicca Rupees; for the second offence not exceeding one hundred and not less than twenty Sicca Rupees; for the third and every other offence a sum not exceeding five hundred, nor less than one hundred Sicca Rupees, to be levied by Distress and Sale on the Offenders Goods and Chattels; where Offenders shall have no Goods and Chattels, for the first offence to be committed to the House of Correction, and kept to hard labour not less than one month. nor more than three months; for the second Offence not less than three months, nor more than six months; for the third and every other Offence, not less than six months, nor more than twelve months.

Provided that nothing herein contained shall extend to a certain Brick Building thatched with Straw, erected on the West side of the Great Tank, within the Settlement, used as a Riding School, so long as the same shall be continued to be used as such.

XXIV. That Distress and Sale for enforcing the Penalties aforesaid shall be made by the Sheriff, or his Deputy, by authority under the hands of any two of the said Commissioners.

XXV. Costs and Charges incurred in carrying this Rule, Ordinance and Regulation into execution, shall be paid by the Commissioners out of the Funds to be raised in manner herein mentioned.

N. B. This Rule, was on the motion of Mr. Newman, Counsel for the Honorable Company, on the 8th of January in the year 1781, withdrawn, and stands repealed by the 38th Section of the following Bye Law of the 1st of February, 1781.

A RULE, &c. for the good Order and Civil Government of the United Company's Settlement at Fort William in Bengal.

PASSED IN COUNCIL, 9th January.—REGISTERED IN SUPREME COURT, 1ST FEB. 1781.

PREAMBLE recites that the Rule of the 25th of November, 1780, had proved insufficient.

I.—The same persons as were appointed Commissioners by the foregoing Rule of 1780, are appointed Commissioners for the purposes of this Rule.

II. III. IV. V. VI. VII. VIII. IX. X. XI. XII. XIII. XIV. XV. XVI. XVII. and XVIII. contain the same powers, authorities and provisions, with some alterations as Sections II. III. IV. V. VI. VII. VIII. IX. X. XI. XII. XIII. XIV. XV. XVI. and XVII. of the foregoing Rule of 1780.

XIX. Commissioners to give notice to persons to remove all projections and obstructions whatever on Public Roads, &c. and on neglect or refusal to remove the same, Commissioners are to remove such Nuisance, &c. such persons to forfeit to the Commissioners a sum equal to expences they shall incur in removing the same.

XX. And any persons guilty of any such Nuisances or any other Encroachment, on any Street, &c. shall forfeit to the Clerk of the Commissioners the sum of Sicca Rupees 100. Persons erecting Stalls, &c. being Encroachments, shall forfeit in like manner Sicca Rupees 20. And continuing such Nuisances, subject to the Forfeitures therein respectively mentioned for every day the same shall continue.

XXI. Any head Builder or Workman building any new House, &c. bringing the foundation thereof beyond the old one, so as to become an Encroachment on Public Streets, &c. shall forfeit Sicca Rupees 1000

The Owner of any such House, &c. the further sum of Sicca Rupees 1000, for every month such obstruction &c. shall remain, after notice given.

Commissioners may order the same to be taken down and removed, and the Owner thereof shall forfeit a sum equal to the expences, in doing the same.

XXII. XXIII. XXIV. XXV. XXVI. XXVII. XXVIII. XXIX. XXX. XXXI. XXXII. and XXXIII. the same as Sections XX. XXI. XXII. XXIII. XXIV. XXV. XXVI. XXVII. XXVIII. and XXIX of the foregoing Rule

XXXIV. and XXXV. The same as Sections XVIII. and XIX. of the foregoing Rule.

XXXVI. Forfeitures and Penalties, not amounting to more than Sicca Rupees 20, to be recovered by action of debt in the Court of Requests.

If the same exceed Sicca Rupees 20, to be recovered by action of debt in Supreme Court.

XXXVII. Actions brought against Commissioners for acts done in virtue of their Office, to be defended by the Commissioners, and their costs paid out of Monies, raised by this Rule.

XXXVIII. Repeals foregoing Rule and Ordinance of 25th November, 1780

XXXIX. That all expences attending the carrying this Rule, or Ordinance into execution, be defrayed out of the Fund raised in virtue thereof.

N. B. This Rule is repealed in part by the Bye Law of the 3d August 1784, and in toto by Section I. of the Bye Law of 18th November, 1814.

A RULE, &c. to amend and enlarge A RULE, &c. for the good Order and Civil Government of the United Company's Settlement at Fort William in Bengal, published in the Supreme Court, on the **1st** *of February,* **1781.**

PASSED IN COUNCIL, 25th June —REGISTERED IN SUPREME COURT, 18th July, 1782.

PREAMBLE recites Rule, Ordinance and Regulation of the 1st of February, 1781.

I.—Repeals part of Section XVI. of the said Rule

II. The same as parts of Sections X. and XV. of the Rule of the 25th November, 1780, as to the duty of Surveyor to Survey, and give in Estimates of Repairs &c.

III. Recites the XVII. Section of the said Rule of the 1st of February, 1781.

IV. Annuls the first Clause of the said Section XVII. as to the appointment of Scavengers.

V. Recites existing contract with Scavenger to expire on the 1st April, 1783, and gives a similar authority to the Commissioners to appoint Scavengers, as is given to the Surveyor by Section XVII. of the Rule of 25th November 1780.

VI. No Hackeries, or Carriages of burthen, except as herein mentioned, to travel within the Settlement, unless the Wheels thereof be of the height of four feet six Inches, and the Fellies of such Wheels be of the breadth of Six Inches and unless there be a small Plate of Iron fixed on the upper part of the Axle Trees of such Wheels.

Owners of such Hackeries, &c. not observing this Rule, shall forfeit to the Clerk of the Commissioners Five Current Rupees.

And if, after notice in writing, shall continue to drive such Hackeries, &c. shall on conviction forfeit to Clerk of Commissioners, one Anna in the Rupee for every day he shall continue to drive the same, provided that nothing herein contained shall extend to any Coach, Chariot, Chaise, &c.

VII. Directs the manner in which Penalties, &c. are to be recovered

VIII. IX. and X. the same as Sections XXXVII. and XXXIX. of the last Rule.

N. B This Rule, except Section VI. rendered inoperative by Act 33d, Geo. 3, C. 52.

The VIth Section does not appear to have been repealed.

XIV. No Owner or Commander after arrival of Ship in Port and Voyage completed, shall detain any Seafaring Man against his will.

Seafaring men desirous of remaining on board, the Owner or Commander to retain such Men, paying to the Register all such Impress Money, &c. as shall be due to such Men, and he may retain his fees

No Monies to be paid except through the Register, unless the Ship does not return within time for which Men shipped.

XV. Merchants. Masters, &c. offending against this Rule, shall forfeit to the Register for every offence, a sum of Sicca Rupees Five Thousand,

Seafaring Men so offending shall in like manner forfeit one Month's wages.

Serang or any Native Agent shall in like manner forfeit Sa. Rs. One Thousand.

Penalties vested in Register to be recovered in the Court of Requests, if under Twenty Current Rupees.

Penalties exceeding that Sum, to be recovered in the Supreme Court.

Penalties recovered after a deduction of twenty-five per Cent. to the Register, and charges of Recovery to go to the Governor General and Council.

XVI. This Rule not to extend to any Ships, &c. unless English Vessels belonging to and and navigated to and from the Port of Calcutta.

XVII. Provided that no Captain, Master, &c. who shall have shipped Native Seamen, shall be liable to the Penalties abovementioned, by reason of his not delivering to the Register within one Week after his return, lists of such Seafaring Men, unless he shall have been required by the said Register within four days after the arrival of the said Ship.

N. B. This Rule is repealed by an Order of His Majesty in Council under the Royal Sign Manual, bearing date at St. James's the fourth day of March 1785, and registered in the Supreme Court on the 7th of January, 1786, and also by the Rule, Ordinance and Regulation passed by the Governor General in Council in July, 1785, and registered in the Supreme Court on August 15th in the same year.

This Repeal appears to have been overlooked at the time of passing the Rule of the 24th of July, 1816, as by that Rule it is again repealed.

A RULE, &c. for the better Management of the Police of the Town of Calcutta.

PASSED IN COUNCIL 29th October.—READ IN SUPREME COURT, 30th October 1783.

PREAMBLE recites that the Inhabitants were exposed to frequent Robberies, &c. and also the great increase of Shops wherein Spirituous Liquors were sold, being the source of Excess and Enormity, and also the Facility with which Jewels, Gold, and Silver Plate, &c. were secreted and sold, &c.

I. Authorises a Commission of Police, to consist of three Commissioners. Such persons as Governor General and Council shall appoint, shall be first Commissioners. To continue in Office, during their good Behaviour.

II. Governor General and Council to appoint their Salaries.

III. Gives Commissioners the same Powers as Section IV. of the Rule 25th of July, 1778, gives to the Superintendent of Police.

IV. Commissioners to sit in Rotation, on Tuesday, Thursday and Saturday, in each week, from nine o'Clock in the Forenoon, to twelve o'Clock, to examine all Persons apprehended, &c. and all the Commissioners or two of them at least shall sit for Re-examination, when requisite, on every Monday, throughout the Year.

V. VI. VII. VIII. IX. X. and XI. the same as Sections V. VI. VII. VIII. IX. and X. of Rule 25th July, 1778.

XII. Thirty Shops only to be allowed for the Sale of Spirituous Liquors.

Persons keeping such Shops, to be licensed under the Hands and Seals of the Commissioners, and to give Security for good Behaviour, &c.

Shops to be shut at Eight o'Clock at Night, and no Arrack, or other Liquors, had therefrom after that Hour.

XIII. Such Licenses to be granted to such Persons only as can produce a Certificate of Sober Life and Demeanor and to be renewed, unless good Cause to the contrary.

XIV. Persons Retailing Spirituous Liquors, without such License, shall forfeit not exceeding Sicca Rupees Six Hundred, nor less than Sicca Rupees Two Hundred. On neglect to pay this Penalty, to be committed by Justices to hard Labour for Four Months, and privately whipped.

XV. Distillers selling Distilled Spirituous Liquors to Retailers, except to Persons licensed, shall on conviction forfeit not exceeding Sicca Rupees One Thousand, and not less than Sicca Rupees Five Hundred.

XVI. XVII. XVIII. XIX XX. XXI. and XXII. the same as Sections XI. XII. XIII. XIV. XV. XVI. XVII. XVIII. and XIX. of the Rule of 25th July, 1778.

N. B.—On the 24th of November, 1783, this Rule was disapproved of by the Supreme Court, and therefore not registered.

The

The Grounds upon which the Court appear to have refused their consent to the Registry of this Rule, are, that upon comparing it with that of 25th of July, 1778, which was disallowed under his Majesty's Royal Sign Manual, it was found, that not only the most exceptionable parts of that Rule, such as the Power to the Commissioners to whip and inflict other Corporal Punishment, had been retained in this, but that some parts still more exceptionable in the Opinion of the Judges, had been introduced, particularly the limitting the Privilege of selling Arrack, and other Spirituous Liquors, to a certain number of Shops, and so creating a Monopoly in favor of those who were to grant the Licenses, and the restricting also the Wholesale Dealers in Arrack, by severe Penalties in their Power of Selling, neither of which was considered as sufficiently conformable to the Acts of Parliament in England on the like subjects.

A RULE, &c. to amend A RULE, &c. for the good Order, and Civil Government of the United Company's Settlement at Fort William in Bengal, published in the Supreme Court of Judicature, on the 1st February, 1781.

PASSED IN COUNCIL 13th July.—REGISTERED IN SUPREME COURT, 3d August, 1784.

PREAMBLE recites Sections Second, Tenth, and Fourteenth, and Proviso of the Seventeenth Section of the said Rule of February, 1781.

I. Repeals so much of the said Rule of 1781 as recited.

II. That the rough Draughts or Minutes of all Orders and Proceedings of Commissioners shall be signed by them, and deemed their Original Orders and Proceedings, and a fair Copy entered in Books to be signed by them.

III. The same as Section Tenth of the said recited Rule, making the Provisions thereof more technically correct.

IV. The same as Section Fourteenth of the said recited Rule, but vesting the Power of Removal of the Surveyor in the Commissioners, instead of the Governor General in Council.

V. The same as the Proviso in Section Seventeenth of the said recited Rule, qualifying the Power thereby given to the Surveyor of granting Licences by subjecting the exercise of that Power "to the Approbation and Consent of the Commissioners."

VI. Declares that all the Public Ghauts shall be under the Direction and Controul of the Commissioners, who may amend and repair the same.

VII. Commissioners may contract with Persons for Works and Repairs.
Recites that Surveyor, although required by the Rule of February, 1781, to Survey the Settlement, had not yet surveyed the same, and from the want of such Survey and of Plans and Levels Commissioners had been prevented from draining the Settlement.

Commissioners had therefore agreed with Mark Wood of Calcutta, Esquire, to supply them with such Plans, Surveys and Levels, in consideration of Twenty Thousand Sicca Rupees, who had executed part of the said work.
Commissioners indemnified for the same, and authorised to agree with any persons for the making of Plans, Surveys and Levels.

VIII. IX. Indemnity to Commissioners for acts done under this Rule.
This Rule is rendered inoperative by Act 33d Geo. 3. Cap. 52.

A RULE, &c. to amend A RULE, &c. for the good Order and Civil Government of the Company's Settlement at Fort William in Bengal, published in the Supreme Court of Judicature, at Fort William in Bengal, 1st Feb. 1781.

PASSED IN COUNCIL, 22d January.—REGISTERED IN SUPREME COURT, 13th Feb. 1784.

PREAMBLE recites that the Great Tank near the Old Fort in the Town of Calcutta had become foul, and the Water unfit for use, and the Health and Safety of the Inhabitants endangered, wherefore it had become necessary that the Tank should be cleansed, and that a new Railing should be erected round the same.

I. Commissioners for the time being shall appropriate, expend and lay out from the Monies raised by the Rule of the First of February, 1781, such sums as shall be necessary for the purpose of Deepening and Cleansing the said Tank, and for erecting a Railing round the same, and for improving and repairing the same respectively.

II. Indemnity to Commissioners for Acts done under this Rule.

N. B. The Provisions of this Rule rendered inoperative by Act. 33d George 3d.

A RULE, &c. to repeal A RULE, &c. for ascertaining and fixing the Wages, to be paid to the Native Seamen belonging to the Port of Calcutta, and for securing the same to the said Seamen, as also for the better providing the Ships and Vessels Navigating to and from the said Port with Native Seafaring Men, published in the Supreme Court, the 7th July, 1783.

PASSED IN COUNCIL 11th July.—REGISTERED IN SUPREME COURT, 15th Aug. 1785.

PREAMBLE recites the said Rule of the 7th of July, 1783, that the said Rule had been found insufficient for the intended purpose and [illegible] much injury and [illegible]

A RULE, ORDINANCE and REGULATION for the good order and Civil Government of the Settlement or Factory of the United Company of Merchants of England Trading to the East Indies at Fort William in Bengal, respecting the sale and manufacturing of GUN-POWDER within the said Settlement and the limits thereof;

PASSED BY THE HONORABLE THE GOVERNOR GENERAL IN COUNCIL on the 8th April.—REGISTERED, IN THE SUPREME COURT 23d June, 1802.

Preamble.

Recital that the manufacture and sale of Gun-powder within the Settlement, exposes the same to great mischief & danger, from the explosion thereof.

In order to prevent the same, the manufacture and sale, &c. to be limited & regulated as follows.

WHEREAS the manufacture of Gun-powder and the sale thereof within the limits of the settlement of Fort William in Bengal, as at present exercised and carried on, exposes the said Settlement or Factory to great mischief and danger from the explosion thereof,—and Whereas in order to prevent the great mischiefs which may arise therefrom and from the keeping, carrying and selling thereof in too great quantities within the said Settlement or Factory of Fort William,—It is thought advisable to regulate the same by Law.

Recital of powers given by Act 13 Geo. 3d to the Governor General in Council to make Regulations with the consent of the Supreme Court, by which they are to be registered & published.

That from and after the due registry & publication hereof, no person shall manufacture Gun-powder within the limit of Calcutta and the Settlement of Fort William, without License signed by two or more Justices upon pain of forfeiting all Gun-powder so manufactured.

Which Gun-powder may be seized by any person Also under the penalty of Sicca Rupees five Hundred.

I. Be it therefore ordained by the authority of the Governor General in Council of and for the Presidency of Fort William in Bengal, at and within the said Settlement or Factory of Fort William in Bengal aforesaid, by and in virtue of and under the authority of a certain Act of Parliament made and passed in the Parliament of our now Sovereign Lord George the Third, at a Session thereof holden at Westminster in the thirteenth year of his reign, entituled " An Act for establishing certain Regulations for the better management of the affairs of the East India Company, as well in India as in Europe,"—That from and immediately after the due registry and publication of this Rule, Ordinance and Regulation in the Supreme Court of Judicature at Fort William in Bengal, with the consent and approbation of the said Court, if the said Court shall in its discretion approve of and consent to the registry and publication of the same—no person or persons shall manufacture Gunpowder within the limits of the town of Calcutta and Settlement or Factory of Fort William in Beng. l aforesaid, without having first obtained a License for that purpose from, and signed by two or more Justices of the Peace, acting in and for the said Town of Calcutta and Settlement or Factory of Fort Wilam in Bengal, upon pain of forfeiting all Gun-powder so manufactured contrary to this Ordinance, which Gun-powder may be seized by any person or persons, and also the sum of five hundred Sicca Rupees of lawful money of Bengal.

No person shall sell Gun-powder manufactured in India, without Licence obtained in

II. And be it further ordained by the authority aforesaid, that no person or persons shall, after the period hereinbefore mentioned, sell within the limits of the Town of Calcutta or Factory of Fort William

in

manner aforesaid, under the penalty of four Sa. Rs. for every seer of Bengal Bazar weight so sold.

in Bengal aforesaid, any Gun-powder manufactured in India, without having first obtained a License for that purpose from, and signed by two or more Justices of the Peace, acting in and for the Town of Calcutta or Factory of Fort William in Bengal aforesaid, upon pain of forfeiting four Sicca Rupees for every seer Bengal Bazar weight of such Gun-powder as he shall sell without such License.

No person licensed to manufacture and sell Gun-powder, or other person, shall keep at one time more than thirty seers of like weight of Gun-powder manufactured in India at his shop or place of manufacture, or in any house, mill, magazine, storehouse, warehouse, yard, wharf or other building, boat or place occupied by such person On pain of forfeiting all the Gun-powder beyond the quantity allowed, Which may be seized by any person, together with the barrels or vessels containing the same Also under the penalty of two Sa. Rs. for every seer beyond allowed quantity.

III And be it further ordained by the authority aforesaid, that no persons who shall obtain a License from the Justices of the Peace, acting in and for the said Town of Calcutta and Settlement or Factory of Fort William in Bengal, to manufacture and sell Gun-powder, or other person or persons whatsoever, shall keep at any one time more than thirty seers Bengal Bazar weight of Gun-powder, manufactured in India, at or in his shop or place of manufacture, or in any house, mill, magazine, storehouse, warehouse, yard, wharf, or other building, boat or place occupied by the same person or persons, all buildings and places adjoining to each other and occupied together or by the said person or persons being to be deemed one house or place within this Ordinance, on pain of forfeiting all the Gun-powder beyond the quantity hereby allowed to be kept, which Gun-powder may be seized by any person or persons, and the barrels or other vessels in which such Gun-powder beyond the said quantity hereby allowed of shall be, which may also be seized by any person or persons,--and also the sum of two Sicca Rupees of lawful money of Bengal, for every Seer Bengal Bazar weight of Gun-powder beyond the said hereby allowed quantity of thirty seers.

No dealer or manufacturer of Gun-powder shall keep at any time more of the mixed materials than sufficient for the manufacture of thirty seers of Gun-powder, at or in his shop or place of manufacture, or in any boat, &c.

IV. And be it further ordained by the authority aforesaid, that no person or persons whatsoever, being a dealer or dealers, or manufacturer or manufacturers of Gun-powder, shall keep at any one time more of the mixed materials required for making Gun-powder than may be sufficient for the manufacture of thirty seers Bengal Bazar weight of Gun powder, at or in his or their shop or place of manufacture, or in any boat, house, mill, magazine, storehouse, warehouse, yard, wharf, or other building or place occupied by the same person or persons, all buildings and places adjoining to each other and occupied together or by the same person or persons, being to be deemed one house or place within this Ordinance, on pain of forfeiting all such mixed materials beyond the quantity hereby allowed to be kept, which mixed materials beyond the said quantity hereby allowed to be kept may be seized by any person or persons, and the barrels or vessels in which such mixed materials beyond the said quantity hereby allowed to be kept shall be, which may also be seized by any person or persons, and also the sum of two Sicca Rupees of lawful money of Bengal for every seer Bengal Bazar weight of such mixed materials, beyond the said hereby allowed quantity of thirty seers.

On pain of forfeiting all such mixed materials beyond the quantity allowed. Which may be seized by any person, together with the barrels or vessels containing the same;

Also under the penalty of two Sa. Rs. for every seer beyond allowed quantity.

Licenses may be resumed as to the Justices or any two of them shall seem meet.

V. And be it further ordained by the authority aforesaid, that all and every the License, which shall and may be granted by the said Justices of the Peace, acting in and for the Town of Calcutta, or so many thereof, as to the said Justices or any two of them shall seem meet and proper, shall and may be resumed, and that from and immediately after the person or

persons,

persons, to whom the said Licence or Licenses shall have been granted, shall have had a notice in writing signed by the said Justices of the Peace, or any two of them served upon him, her or them, or left at his, her or their dwelling houses, he, she, or they shall be and be considered as persons unlicensed to sell Gun-powder manufactured in India, or to manufacture Gun-powder within the Town of Calcutta and Settlement or Factory of Fort William in Bengal.

Persons licensed, after service of notice signed by Justices or any two of them, shall be considered as persons unlicensed to sell such Gun powder, or to manufacture Gun-powder within the settlement.

VI. And be it further ordained by the authority aforesaid, that for the more easy discovery of the making and keeping of Gun-powder manufactured in India, or of the mixed materials for making the same, contrary to the provisions herein-before made, it shall and may be lawful for any Justice of the Peace, acting in and for the said Town of Calcutta and Settlement or Factory of Fort William in Bengal, on demand made and reasonable cause assigned upon oath, by any person or persons, to issue a warrant or warrants under his hand and seal, for searching in the day time any house, mill, magazine, storehouse, warehouse, shop, yard, wharf, or other place, or any carriage or boat within the said Town of Calcutta and Settlement or Factory of Fort William in Bengal, in which such Gun-powder is suspected to be, or to be made, or kept, contrary to the provisions hereinbefore made; and that all Gun-powder or mixed materials for making the same exceeding the respective quantities hereinbefore allowed, found upon such search to be made or kept, contrary to the provisions hereinbefore made, and also the barrels or vessels wherein the same shall be contained, shall be immediately seized by the searcher or searchers, who shall with all convenient speed after the seizure thereof, remove such Gun-powder and mixed materials, and the barrels or vessels in which the same shall be, to such proper place as he or they shall think fit, and may detain such Gun-powder and mixed materials, and the barrels or vessels in which the same shall be, untill it shall be adjudged, as hereinafter mentioned, whether the same shall be forfeited; and such searcher or searchers, seizer or seizers, shall not be liable to any suit or action for such detainer, or for any loss of or damage which may happen to the said Gun-powder, materials, barrels, or vessels, other than by the wilful acts or neglects of them, or of the persons with whom they shall entrust the keeping thereof.

For the more easy discovery of the offences aforesaid, any Justices may on demand made & reasonable cause assigned upon oath by any person, issue a warrant for searching in the day time any house, &c. within the settlement in which such Gun-powder is suspected to be, or to be made contrary to this rule,

And all Gun-powder or mixed materials exceeding the quantities allowed, found upon search, together with the barrels, or vessels, shall be seized and removed, & detained by the searchers, until it shall be adjudged whether the same be liable to forfeiture.

Searchers or seizers not liable to any suit, &c. for detainer, loss or damage, except for wilful acts, or neglects.

VII—And be it further ordained by the authority aforesaid, that where any Gun-powder, barrels, vessels or other things shall be seized as forfeited by virtue or in pursuance of this Rule, Ordinance and Regulation, all such seizures shall and may in a summary way be proceeded upon and examined into, heard, adjudged and determined by and before two or more of His Majesty's Justices of the Peace for the time being, acting in and for the Town of Calcutta and Settlement or Factory of Fort William in Bengal aforesaid, which Justices of the Peace shall be and are hereby authorized and empowered to cause the respective person or persons in whose custody such Gun-powder, barrels, vessels, or other things so to be seized as aforesaid were to be found at the time of seizure thereof, to be summoned to appear before them, at a certain time and place to be prefixed by the said Justices of the Peace, who are hereby fully authorized empowered

All seizures may be summarily proceeded upon and determined by two Justices.

Who may summon the parties offending, and upon appearance or default examine & give judgment for the condemnation of the Gun-powder, barrels, vessels & things seized and found to be forfeited,

empowered and required upon the appearance or default of such person or persons so to be summoned, to examine into the cause of such seizure or seizures, and thereupon to proceed to give Judgment for the condemnation of such Gun-powder, barrels, vessels and things so seized as upon due examination shall be found to be forfeited by virtue of this Rule, Ordinance and Regulation, and to issue out their warrant for the sale of such Gun-powder, barrels, vessels, and other things as shall be so by them condemned and such their judgments shall be and are hereby declared to be taken and adjudged to be good, valid and effectual in the Law, and final to all intents and purposes whatsoever. One moiety of the produce of the said Gun-powder, barrels, vessels, or other things when sold (all necessary charges being first deducted out of the whole) to be applied to and for the use of His Majesty, His Heirs and Successors, and the other moiety to be paid to the party who shall discover the same.

And issue warrants for the sale thereof.

Judgments to be final.

A moiety of the produce of such sale (charges deducted) to go to the Crown;

Residue to the party discovering the same.

VIII.—Provided always, and it is hereby further ordained by the authority aforesaid, that in all cases where any such Gun-powder, barrels, vessels, or other things as aforesaid, shall be seized as forfeited, and no person or persons within twenty days next after such seizure shall appear and claim the same, then and in such case the person or persons who shall make such seizure or seizures from and after the expiration of the said twenty days next after such respective seizure or seizures, shall cause notice to be given in the Calcutta Gazette, if the quantity of Gun-powder seized shall be above forty seers, and if under forty seers, notice in writing to be signed by one of the said Justices of the Peace, to be affixed at the public office of the said Justices of the Peace in the Town of Calcutta aforesaid, signifying the day and time of the day that the said Justices of the Peace will proceed to hear the matter of such seizure or seizures, and to the condemnation of such Gun-powder, barrels, vessels and other things so seized as aforesaid; in which case it shall and may be lawful for the said Justices of the Peace to proceed to examine into the cause of such seizures, and to give judgment for the condemnation of such Gun-powder, barrels, vessels and other things, so seized as aforesaid, as upon due examination shall appear to be forfeited, which judgment shall be good, valid and effectual in the Law, and final to all intents and purposes, as if the respective owner and owners of the said Gun-powder, barrels, vessels, and other things, or the respective person or persons in whose custody the same was at the respective time or times of the seizure or seizure thereof, had been respectively summoned to attend the said Justices of the Peace in the manner hereinbefore specified.

Proviso that in case no party shall appear within twenty days after such seizure, and claim the same, the seizer shall, after the expiration of such period, cause notice to be given in the Calcutta Gazette, if the quantity seized shall exceed forty seers, if under forty seers, notice signed by one Justice, to be affixed at the Police Office, signifying the day and time when the Justices will proceed to hear the matter of such seizure, and to the condemnation of such Gunpowder &c.

Justices may proceed to examine and give Judgment of condemnation.

Judgment to be final as if parties had been summoned.

IX. And be it further ordained by the authority aforesaid, that all pecuniary forfeitures and penalties had or incurred under or against this Rule, Ordinance and Regulation, shall, where the said pecuniary penalty or forfeiture does not exceed the sum of one hundred Sicca Rupees of lawful money of Bengal, be heard, adjudged and determined by one, two or more of the aforesaid Justices of the Peace, who are hereby empowered and authorized to hear and determine the same, whose judgment therein shall be final, and the said Justices of the Peace are hereby authorized and

All pecuniary forfeitures and penalties not exceeding one hundred Sa. Rs. may be heard & determined by one, two or more Justices, whose Judgment shall be final. Justices authorized & required upon complaint or information of any such forfeiture or penalty to summon the party accused.

and required upon any complaint or information exhibited and brought of any such forfeiture or penalty had or incurred, under or against this Ordinance, Rule and Regulation to summon the party accused, and upon his appearance or contempt and default, to proceed to the examination of the matter of fact, and upon due proof made thereof, either by the voluntary confession of the party, or oath of one or more credible witnesses. which oath they or any two or more of them have hereby power to administer, to give judgment or sentence. according as in and by this Rule, Ordinance and Regulation is before ordained and directed, to award and issue out warrants under their hands and seals, for the levying of such forfeitures and penalties as by this Rule, Ordinance and Regulation are imposed for any such offence committed upon the goods and chattels of the offender, and to cause sale to be made of the goods and chattels, if they shall not be redeemed within ten days. rendering to the party the overplus if any be, after deducting the amount of such forfeiture, or penalty, and the costs and charges attending the levying thereof, and for want of sufficient distress, to imprison the party offending in the house of correction, for any period of time not exceeding two months, one moiety of such forfeiture or penalty when recovered, to be applied to and for the use of his Majesty, his Heirs and Successors, and the other moiety thereof to and for the informer or informers of the same.

Upon appearance or default to proceed to the examination of the matter, & upon due proof either by confession of the party or by the oath of one or more credible witnesses,
Which oath they or any two of them may administer,
To give judgment.
To issue warrants under their hands & seals for the levying of such forfeitures, &c. upon the goods of offenders.
And to sell the same if not redeemed within ten days.
Rendering to the party the overplus, if any.
And for want of sufficient distress, to imprison offenders in the house of correction, for any period not exceeding two months;
Moiety of such forfeiture, to go to the Crown;
Residue to Informer.

X. And be it further ordained by the authority aforesaid, that where the said pecuniary penalty or forfeiture shall exceed the sum of Sicca Rupees one hundred of lawful money of Bengal, all and every such last mentioned pecuniary penalty or forfeiture shall and may be recovered by action of debt, plaint or information in the Supreme Court of Judicature at Fort William in Bengal, by and in the name of the Clerk of the Crown of the said Supreme Court for the time being, the whole of such pecuniary penalty and forfeiture to be recovered in the said Supreme Court of Judicature at Fort William in Bengal aforesaid, to the use of his Majesty, his Heirs and Successors.

Where the said pecuniary forfeiture, &c. shall exceed one hundred Sicca Rupees,
The same may be recovered by action of debt, &c. in the Supreme Court, in the name of the Clerk of the Crown.
The whole of such forfeiture &c. to go to the Crown.

XI. Provided always and it is hereby ordained by the authority aforesaid, that it shall and may be lawful to and for the Judges of the said Supreme Court of Judicature at Fort William in Bengal, and for the Justices of the Peace respectively, when they shall see cause, to mitigate, the penalties and forfeitures sued for before them respectively.

Proviso that the Jugdes of the Supreme Court & Justices respectively may, if they shall see cause, mitigate the penalties&forfeitures sued for before them respectively.

XII. And Provided always, and it is also hereby further ordained by the authority aforesaid, that this Rule, Ordinance and Regulation, or any thing therein contained, shall not extend or be any way construed to extend to any person or persons acting for or on behalf of the United Company of Merchants of England trading to the East Indies, or to any Gun-powder or materials for Gun-powder collected, kept or manufactured by any person or persons thereunto in any manner authorized by the said United Company to collect, keep or manufacture the same.

Proviso that any thing herein contained shall not extend to any person acting for or on behalf of the United Company.
Or to any Gun-powder or materials for Gun powder collected, kept or manufactured, by persons thereunto authorised by the Company.

A RULE, Ordinance and Regulation for the good Order and Civil Government of the Settlement of Fort William in Bengal.

Passed in Council 26th July.—Registered in Supreme Court, 11th November 1814.

Preamble.

WHEREAS it is deemed just, reasonable and expedient to provide in the following cases, for the good order and Civil Government of the Settlement of Fort William in Bengal—

Recital of powers given by Act 13.G.3. to Governor General in Council to make Regulations.

And also by Act 40th, G. 3.

That from and after the due registry and publication hereof,

In case of assault, forcible entry or other injury accompanied with force, not being felony, committed in the settlement of Fort William,

And on complaint made thereof to two Justices of the Peace,

They shall have power to take cognizance of the same.

Form of proceeding.

In case of conviction, to inflict a fine of not exceeding Forty Sa. Rs.

And to commit the offender to Gaol, for a period not exceeding two months' unless

I.—Be it therefore ordained by the Honorable the Vice-President in Council of and for the Presidency and Settlement of Fort William in Bengal, and by virtue of the powers in him vested by a certain Act of Parliament passed in the thirteenth year of the reign of His Majesty King George the Third, entitled "an Act for establishing certain Regulations "for the better Management of the Affairs of the East India Company, as "well in India as in Europe," and by a certain other Act of Parliament passed in the fortieth year of His said Majesty King George the Third, entitled "an Act for establishing further Regulations for the Government "of the British territories in India, and the better administration of Justice "within the same." that from and after the due registry and publication of this Rule. Ordinance and Regulation in the Supreme Court of Judicature at Fort William in Bengal, with the consent and approbation of the said Supreme Court, if the said Court shall in its discretion approve of and consent to the registry and publication of the same, If any assault, forcible entry or other injury accompanied with force not being felony, shall be committed in the settlement of Fort William in Bengal against the person or property of any person whatsoever, it shall and may be lawful for any person or persons to complain of any assault forcible entry or other injury accompanied with force, not being felony, to two Justices of the Peace, acting in and for the Town of Calcutta and the said Settlement of Fort William, and that such two Justices of the Peace shall have power and authority at the instance of the person or persons complaining, to take cognizance of such complaint, to issue their summons or warrants for bringing the party or parties complained of before them, to hear the parties, to examine witnesses, and having taken in writing the substance of the complaint, defence and evidence, to acquit or convict the person or persons accused, and in case of conviction, to inflict upon such person or persons, a suitable punishment, by fine not exceeding forty Sicca Rupees on each and every such person and persons so convicted, and by warrant under their hands and seals to commit such offender or offenders to the common gaol of Calcutta for aforesaid period not exceeding two months

said two Justices of the Peace to award the whole or any portion of such fine or fines to the party or parties aggrieved, by way of satisfaction for such injury, and that all such fines shall be paid in the first instance to the two Justices of the Peace, before whom the party or parties offending shall be convicted, and the amount thereof, after making such satisfaction to the party or parties aggrieved as aforesaid, if any, shall be transmitted by such two Justices of the Peace to the Clerk of the Crown, for the use of his Majesty.

Fines to be paid to the convicting Justice, who may award all or any part thereof to the aggrieved.

If surplus, to go to the Crown.

II.—And be it further ordained by the authority aforesaid, that if, after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, any Journeyman Workman or Labourer, shall depart from his service in the said Settlement of Fort William before the end of his term of service, or leave unfinished any work, which he may have agreed or contracted with any person or persons resident in the said Settlement of Fort William to finish, unless for cause to be allowed by two Justices of the Peace, acting in and for the said Town of Calcutta and Settlement of Fort William, it shall and may be lawful for two Justices of the Peace, acting as aforesaid, at the instance of the person or persons aggrieved, to take cognizance of the complaint, to issue their summons or warrant for bringing the party or parties complained of before them, to hear the parties, to examine witnesses, and having taken in writing the complaint, defence, and evidence, to acquit or convict the person accused, and in case of conviction to commit the person so convicted to the common goal of the town of Calcutta, or to the house of correction to hard labour, for a time not exceeding two months.

If any Journeyman Workman or Labourer engaged for a term, abandon his service before his term is out, or leave unfinished any work contracted for, Without due cause shewn to two Justices, To whom complaint shall be made, They may take cognizance thereof.

Form of proceeding.

In case of conviction offenders to be committed to gaol, or house of correction to hard labour for not exceeding two months.

III.—And be it further ordained by the authority aforesaid, that if, after the due registry and publication of this Rule, Ordinance and Regulation, any person in the Town of Calcutta and Settlement of Fort William in Bengal, shall not have any ostensible mode of living and shall live idle, without employment, and without using proper means to get employment, if able to work, or if any person in the Town of Calcutta and Settlement of Fort William aforesaid, shall have sufficient means, or employment, and shall not employ a proportion of his means, or of the money earned by him towards the maintenance of his wife, family and children, legitimate and illegitimate, and shall be thereof convicted before two Justices of the Peace, upon the oath of one or more credible witness or witnesses, it shall be lawful for the said two Justices to make an order upon the said person for the maintenance of such wife, family and children, and upon such person's non-compliance with the said order, it shall be lawful for two Justices of the Peace by warrant under their hands and seals to commit the person so convicted to the common gaol of Calcutta, or to the house of correction to hard labour, for a time not exceeding two months, and so toties quoties upon every subsequent offence and order made thereupon and nonperformance of such subsequent order.

Persons having no ostensible mode of living, living idle and without employment and not endeavouring to get employment, and being able to work.

Or, persons having means & not maintaining their wives and families,

Liable on oath of one witness or more to be convicted before two Justices;

Who may make order of maintenance;

And on non-compliance therewith the offender to be committed to gaol or to the house of correction to hard labour, For not exceeding two months.

IV.—And be it further ordained by the authority aforesaid, that if, after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, any person, not having any ostensible means of livelihood

Persons having no ostensible means of livelihood and being of evil

hood

fame, or reputed thieves, and who are found frequenting bazars, &c. and shall not be able to give a satisfactory account of themselves.
And it shall appear upon the oath of one or more witnesses that there is just ground to believe That they were there with intent to commit felony,
May be convicted by such two Justices,
And publicly whipped, or committed to the house of correction to hard labour for not exceeding three months.

hood, and being of evil fame, or a reputed thief, shall be found frequenting the bazars, streets or highways, houses, out-houses, shops or warehouses in the Settlement of Fort William, and shall not be able to give a satisfactory account of himself or herself, and of his or her way of living, and it shall appear to the satisfaction of two Justices of the Peace, acting in and for the said Town of Calcutta and Settlement of Fort William, upon the oath of one or more credible witnesses, that there is just ground to believe that such person was in any such bazar, street or highway, house, out-house shop or warehouse, with intent to commit a felony on the person or property of any person or persons whatsoever, the said person shall and may be thereof convicted by the said two Justices of the Peace, and it shall and may be lawful for the said two Justices of the Peace to order such person or persons to be publickly whipped, or by warrant under their hands and seals, to commit such persons so convicted to the house of correction, to hard labour for a time not exceeding three months.

European or American, Seamen being on shore without leave.
Or having deserted from his Ship.
May upon complaint on oath by any of the officers of Ship to one Justice.
Be apprehended by warrant and detained and conveyed on board his Ship;
Asiatic or African Seamen so deserting or absenting himself,
On like complaint on oath being made to a Justice.
And upon refusal to return on board and no sufficient cause shewn,
Two Justices are empowdered to take cognizance, &c.
And inflict on conviction, a fine not exceeding Fifty Sa. Rs.
Or the amount of his Impress,
And commit the offender to gaol for not exceeding two months, nor less than one, unless such fine be sooner paid.
Justices may award the fine or any part thereto the party aggrieved,
Residue to the Crown.
Or instead of fine, may commit such offender

V.—And be it further ordained by the authority aforesaid, that if, after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, any European or American Seaman shall be on shore in the said Settlement of Fort William or the Town of Calcutta, without being thereunto lawfully authorized or shall have deserted from his Ship it shall and may be lawful for a Justice of the Peace, acting in and for the said Settlement of Fort William and Town of Calcutta, upon complaint upon oath and at the instance of any of the officers of the said Ship, to issue his warrant to apprehend, detain and convey the said European or American Seaman on board of his said Ship; and if any Seaman, a Native of Asia or Africa, shall desert, or absent himself from any Ship without leave, during the time for which he shall have agreed to go and to serve on board of the said Ship, it shall and may be lawful for a Justice of the Peace, acting as aforesaid, upon complaint upon oath, and at the instance of any of the officers or owners of such Ship, to issue his warrant to apprehend such Seaman, and, in case he shall refuse to proceed on board the said Ship, and shall not give a sufficient reason for such refusal to two Justices of the Peace acting as aforesaid, it shall and may be lawful for such two Justices to hear the parties, examine witnesses, and having taken in writing the substance of the complaint, defence and evidence, to acquit or convict the said Seaman, and in case of conviction to inflict upon such Seaman, suitable punishment by fine, not exceeding fifty Sicca Rupees, or the amount of any impress he may have received, or which may have been paid for his use, and by warrant under their hands and seals to commit such offender to the common gaol of Calcutta, for a period not exceeding two months, nor less than one, unless such fine shall be sooner paid, and it shall be lawful for the said two Justices to award the whole or any portion of such fine to the party or parties aggrieved, by way of satisfaction for such desertion or leaving of the Ship, and that all such fines shall be paid in the first instance to the two Justices of the Peace, before whom the party offending shall be convicted, and the amount thereof, after making such satisfaction to the party or parties aggrieved, if any, shall

-Amor t-

be

be transmitted by such two Justices of the Peace, to the Clerk of the Crown, for the use of his Majesty; or it shall and may be lawful for the said two Justices, in case of such conviction as last aforesaid, instead of inflicting any fine, to commit the said offender to the house of correction, there to be kept to hard labour not exceeding thirty days, nor less than fourteen days.

to house of correction to hard labour for not exceeding thirty days, nor less than fourteen.

VI.—And be it further ordained by the authority aforesaid, that if, after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, any Goods, Chattles, Money, Bond, Bill of Exchange, Promissory Note, Treasury Note, Banker's Note, Order, Acknowledgment, or other Security or Warrant, for payment of Money or entitling any person or persons to the payment of Money or other property, shall have been stolen from any person or persons' house, shop, warehouse, or place in the Settlement of Fort William, and any of the said securities for Money, or any Goods, Chattels, Money, or other property, which shall, in the belief of the person deposing to the said loss, be the Goods, Chattels, Money, or other property so stolen, although the same cannot be positively identified, shall be found upon or in the possession of any person, who shall not be able to give two Justices of the Peace, acting in and for the Town of Calcutta and Factory of Fort William, and before whom he may be taken, a satisfactory account of or of the manner in which he came by the same, or otherwise reasonably account for his possession of the same, to the satisfaction of such Justices, it shall and may be lawful for the said two Justices, upon the oath of one or more creditable witness or witnesses, to take cognizance of the said offence, to issue their summons or warrants, to hear the parties, to examine witnesses, and having taken in writing the substance of the complaint, defence and evidence, to acquit or convict the person or persons accused, and in case of conviction, to order every such person or persons so convicted to pay a fine not exceeding one hundred Sicca Rupees, for each and every offence of which such person or person shall be so convicted, and in case any person or persons so convicted, and upon whom such fine or fines shall be so imposed, shall fail to pay the same within one week after such conviction, during which week the person or persons so convicted, and failing to pay, shall be committed by the said Justices to safe custody, it shall and may be lawful for the said Justices to order the person or persons so convicted, and failing to pay at the expiration of the said week, to be publicly whipped, or in lieu of such fine or fines and whipping, to be committed to the house of correction to hard labor, for any time not exceeding the space of six calender months.

In case of Goods, Chattles, Money, Bond, Bill, Note, &c. being stolen from any person's house, &c.
To the loss of which such person shall depose,
Believing the same to be his or her property, although he or she cannot positively identify the same;
And the same being found upon or in the possession of any person who shall not give a satisfactory account of his possession thereof.
To two Justices,
They may upon the oath of one witness, take cognizance thereof.
Form of Proceeding.
And on conviction, inflict a fine not exceeding one hundred Sa. Rs. for each offence.
Persons convicted and failing to pay the fine within one week,
During which to be committed to safe custody,
To be publicly whipped,
Or to be committed to the house of correction to hard labour for not exceeding six months.

VII.—Provided always, that when and so often as the said Justices shall, under and by virtue of this Rule and Ordinance, order any person to be publicly whipped, it shall not be lawful to inflict for any one offence, a greater number of stripes than the number of fifty.

No whipping to exceed fifty stripes.

A RULE ORDINANCE and REGULATION for the good Order and Civil Government of the Settlement of Fort William in Bengal.

PASSED IN COUNCIL 28th October.—REGISTERED IN THE SUPREME COURT, 18th November, 1814.

Preamble.

Regulation of 1781, found insufficient.

Roads & highways &c. to be made and opened &c.

Drains to be made and obstructions removed.

Encroachments & nuisances to be abated.

And navigation of the river opened.

Persons going about armed to be suppressed.

And strangers arriving so armed, &c.

Who are frequently taken into the service of the Inhabitants.

And guilty of great violence.

Regulation of 1781 to be repealed.

WHEREAS a certain Rule, Ordinance and Regulation, for the good order and Civil government of the United Company's Settlement at Fort William in Bengal, made and issued by the Governor General and Council then assembled in Council on the ninth day of January in the year of our Lord one thousand seven hundred and eighty one, and registered in the Supreme Court of Judicature in Bengal on the first day of February in the year of our Lord one thousand seven hundred and eighty one, has been rendered in a great measure useless, and is not in other respects adapted to the now state of the Settlement at Fort William aforesaid—AND WHEREAS it is thought necessary and expedient to provide for making and opening of highways, roads, streets, lanes and passages within the said Settlement, and for the conservation and repair thereof as well as of such as already exist—AND WHEREAS the health of the inhabitants of the Settlement greatly depends upon the proper draining of the said Settlement and the removal of the many annoyances and obstructions which have been and are created to and in the highways, roads, streets, lanes and passages therein—AND WHEREAS divers encroachments, and public nuisances have been made upon the said highways, roads, streets, lanes, and passages, and upon the banks of the river Hooghly and to the prejudice of the navigation of the said river, to the injury and obstruction of the Anchorage for the Shipping, and to the manifest endangering of that part of the Settlement upon and near the banks of the said river—AND WHEREAS great numbers of idle and disorderly persons, and others of low condition, appear and go armed with swords, spears and other offensive weapons, unsuited to their condition, by night and by day, through the highways, roads, streets, lanes and passages in the said Settlement, to the great terror and affright of the peaceable inhabitants of the said Settlement—AND WHEREAS many persons, having no occupation, repair to the said Settlement from various places beyond and without Calcutta, with swords, spears and other offensive weapons, and the said persons are frequently taken into the service of persons and householders in the Town of Calcutta, for the purpose of going with and attending them armed, whenever they leave their houses—AND WHEREAS the said armed attendants give and cause affright and terror to the said peaceable inhabitants of Calcutta, and are frequently guilty of great violence to their persons—AND WHEREAS it

it is for the reasons aforesaid deemed just, reasonable and expedient, to repeal the aforesaid Rule, Ordinance and Regulation, and to provide for the good order and Civil government of the Settlement of Fort William in Bengal, in the following cases.

I—Be it therefore ordained by the Honorable the Vice-President in Council of and for the Presidency and Settlement of Fort William in Bengal, under and by virtue of the powers in him vested by a certain Act of Parliament, passed in the thirteenth year of the reign of His Majesty King George the Third, entitled an "An Act for establishing certain "Regulations for the better management of the Affairs of the East India "Company, as well in India as in Europe," and by a certain other Act of Parliament, passed in the fortieth year of the reign of his said Majesty King George the Third, entitled "An Act for establishing certain Regulations "for the Government of the British Territories in India, and the better "Administration of Justice within the same," that the herein before recited Rule, Ordinance and Regulation for the good order and Civil government of the United Company's Settlement at Fort William, shall from and after the due registry and publication of this Rule, Ordinance and Regulation in the Supreme Court of Judicature at Fort William in Bengal, with the consent and approbation of the said Supreme Court, if the said Court shall in its discretion approve of and consent to the registry and publication of the same, be and the same is hereby declared to be annulled and repealed:—PROVIDED always, nevertheless that every lawful act, matter or thing hitherto done or committed by any person or persons under the authority of the said Rule, Ordinance and Regulation hereby repealed, shall be good and valid—any thing herein contained to the contrary notwithstanding.

Recital of Act 13, G. 3

And 40th G. 3.

That Regulation of 1781, shall after the due registry &c. of this Rule, be and the same is hereby repealed.

Proviso, that all lawful Acts done under the said Rule shall be valid.

II.—And be it further ordained by the authority aforesaid, that if any person or persons, at any time or times from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, shall throw or lay, or cause to be thrown or laid, or knowingly or intentionally shall permit to be thrown or laid, any carrion, dirt, soil, straw, or dung, or any other filth, or rubbish, or annoyance whatsoever, on any of the roads, streets, ways, or public passages, or into any of the drains or sewers, made or to be made within the said Settlement, or fasten any scaffolding, bamboos or ropes, or shall set out or leave, or cause to be set out and left, or knowingly and intentionally shall permit to be set out and left, any carriages, bricks, lime or chunam, or any other matter or thing, for the space of four hours, which may occasion any annoyance, nuisance or obstruction whatsoever, or stop or obstruct, incommode or endanger any person or carriage, such persons, each and every of them, shall for every such offence, forfeit the sum of ten Sicca Rupees for each and every day the same shall continue or be repeated:—PROVIDED always, that it shall and may be lawful for any of His Majesty's Justices of the Peace, acting in and for the said Settlement and Town of Calcutta, and authorized by the Governor General in Council to superintend the roads, streets, passages and ways in the said Settlement for the time being, and he is and they

Persons throwing dirt or rubbish, &c. on the streets, &c.

Or into drains, &c.

Or fastening scaffoldings, &c.

Or leaving out carriages bricks, lime, &c. for four hours so as to occasion annoyance or obstruct the way, &c.

To forfeit ten Rupees for each day the same shall continue.

Proviso in favor of such as obtain a license from a Magistrate.

(Who is hereby empowered and required to grant the same in writing.)

For making enclosures on the high way before on the sides of their houses for purposes of building or repair.

But licenses not to exceed one year's duration.

And to describe the limits of such enclosures.

Room always being left for free passage of carriages, &c.

And a light placed on the enclosure from sunset to day break.

Persons acting under such License, not subject to the forfeiture last mentioned.

Any persons removing such light, &c. to forfeit twenty Sa. Rs.

they are hereby required, on due requisition in writing to be to him or them given by any inhabitant, proprietor or owner of lands and houses, within the said Settlement, by writing under his or their hands, to give liberty or license to any of the inhabitants, or proprietors, or owners of lands or houses within the said Settlement, or their builders or workmen to make and keep up for a time to be therein limited (but which shall not exceed one year, nor without necessity and due cause shewn be extended by any fresh liberty or license) any enclosure on the high way before or on the sides of their respective houses or buildings, in order to the building, pulling down, or repairing the same, or the appurtenances thereto, and for the laying necessary materials for the same, and the rubbish arising therefrom, so that the length and breadth of such enclosure be described in such licenses, and there be sufficient room for carts, coaches and other carriages to pass and repass; and so that the person obtaining such license shall immediately after sun set, during all the time that the enclosure shall continue, place, or cause to be placed a lighted candle or lamp in a lantern, and continue the same lighted until day shall break; and no person or persons, acting under such license and in pursuance thereof, and placing and continuing such candle or lamp as aforesaid, shall, during the time thereby to be limited, be subject or liable to the payment of the forfeiture herein last mentioned, and if any person whatever shall remove, extinguish or conceal the said light during such time as aforesaid, the person so offending, shall forfeit a sum not exceeding twenty Sicca Rupees, for each and every such offence.

In case of any encroachments &c. on or projections into the high ways,

Notice to be given to the owner or occupier by two justices to remove them. &c.

Description of encroachments &c. to be removed, &c.

In case of neglect so to remove, &c.

Two Justices to cause such encroachments to be removed or abated.

And the owners or occupiers to forfeit a sum equal to the costs of removal, and a fine of not exceeding one hundred Sa. Rs. for the erection or continuance thereof

III.—And be it further ordained by the authority aforesaid, that any two or more of His Majesty's Justices of the Peace acting in and for the Town of Calcutta, shall and may, at any time after the due registry and publication of this Rule, Ordinance, and Regulation as aforesaid, cause notice to be given in such a manner as they shall think proper, to the owner or occupier of any house, building, land, tenement or heriditament within the said Settlement, or limits thereof, from which any pent-house bow window, porch, shed, balcony, rail, bulk, sign, sign-post, spout, gutter or other thing, doth or shall overhang or jut into, or in any way project or encroach upon any street, square, lane or other public passage; and to the owner or occupier of any stall, shamble or booth, standing in or otherwise encroaching upon any street, square, lane, or other public passage, warning by such notice the said owner or occupier, that he do take down, remove, alter, or regulate such projection or encroachment as aforesaid; and in the case of any sign, spout or gutter, that he do cause such sign, spout or gutter, to be either carried away, or affixed on the front of the house, shop or building whereunto it belongs in such a manner as not to annoy or incommode the public; and in case such owner or occupier shall refuse or neglect so to do, for the space of fifteen days next after such notice shall have been given to him, it shall and may be lawful for any two or more of the said Justices of the Peace, to cause any or every such pent-house, bow window, porch, shed, balcony, rail, bulk, sign, post spout, gutter, stall, shamble, booth, or other encroachment, nuisance, or annoyance, to be taken down, carried away, removed, altered and regulated, in such manner as they shall think proper; and such owner or

or occupier shall forfeit a sum equal to the expences and charges of removing such annoyances, and the further sum not exceeding one hundred Sicca Rupees in respect of the erection or continuance of the said nuisance, and no occupier of any such house or stall shall be liable to be in any way questioned or drawn into suit, by the owners of the same house, stall or premises for any such nuisance abated by the order of the said Justices.

Occupiers not liable to be drawn into suit by owners for obeying the orders of Justices.

IV.—And be it further ordained by the authority aforesaid, that if, any time after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, any person or persons shall erect build or hang up, or continue any pent-house. porch, shed, balcony, rail, bulk, sign sign post, spout, gutter, or other projection so as to overhang, jut into or encroach upon any street, square, lane or other public passage within the said Settlement, every person so offending, shall forfeit a sum not not exceeding one hundred Sicca Rupees. And if any person shall place make or continue any stall, shamble, bench, booth, or basket so as to stand in or otherwise encroach upon any such street, square lane or other public passage, such persons so offending shall for every such offence, toties quoties, forfeit a sum not exceeding twenty Sicca Rupees. And every offender who shall erect build hang up or continue any pent-house bow window, porch, shed, balcony, rail, bulk, sign, sign post, spout, gutter or other projection so as to overhang, jut into, or encroach upon any street, square, lane, or other public passge within the said Settlement, or shall make, construct or advance, or continue any projection, pier, buttress or other encroachment upon the banks of the rsver Hoogly, below high water mark, within the said Settlement, shall also forfeit a sum not exceeding one hundred Sicca Rupees, for every day that such projection or encroachment shall continue, after notice in writing give to him or her or left at the place of his or her last abode, under the hand of any of His Majesty's Justices of the Peace in and for the Town of Calcutta to remove the same. And every offender who shall place, or continue any stall, shamble or booth, so as to stand in, or otherwise encroach upon any such street square, lane, or other public passage, shall also forfeit a further sum not exceeding ten Sicca Rupees, for every day that such projection, building or encroachment shall continue, after notice in writing given to him or her, or left at the place of his or her last abode, under the hand of any two of His Majesty's said Justices of the Peace to remove the same. And it shall and may be lawful to and for any two of His Majesty's said Justices of the Peace to order the same to be taken down, removed, carried away, altered or regulated, in such manner as they shall think proper, and the person or persons so ordered, shall and may take down, remove, carry away, alter, or regulate the same accordingly without any notice or warning to be given to the owners, tenant or occupier, to take down, remove, carry away, alter or regulate the same, and such owner or occupier shall forfeit a sum equal to the expences and charges of removing, altering and regulating such annoyances, in addition to the penalties hereby imposed.

Persons erecting or continuing any penthouse, bow window, porch, shed, balcony, rail, bulk, sign, sign post, spout, gutter, &c. overhanging or encroaching upon streets, &c.

To forfeit not exceeding one hundred Sa. Rs

Or any stall,

A sum not exceeding twenty Sa. Rs.

And all persons so offending as first described,

Or making encroachment on the river Hoogly, below high-water mark.

To forfeit also one hundred Sa. Rs. for each day of the continuance of such encroachment, &c. after notice in writing.

Offenders secondly herein described,

To forfeit also a further sum not exceeding ten Sa. Rs. daily for continuance of encroachment after like notice.

And encroachment, &c. to be removed by two Justices without notice.

And the owner or occupier thereof to forfeit charge of removal, &c. in addition to penalties.

V. And be it further ordained by the authority aforesaid, that, from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, no Head-builder, master carpenter, master mason, or other

Builders and workmen bringing old foundations forward so as to encroach on high ways,

other mistry or workman, shall, in rebuilding or new fronting any old building, situate in or near any street, square, lane or public way, bring the foundation thereof forward, beyond the old foundation, so as to encroach upon any such street, square, lane, or public way; and every person so offending shall forfeit for every such offence a sum not exceeding one thousand Sicca Rupees, and the owner of such building extending the same beyond the original foundation shall also forfeit for every such encroachment a sum not exceeding one thousand Sicca Rupees, after no ice in writing given to him or her, or left at the place of his or her last abode, under the hands of two of His Majesty's said Justices of the Peace to remove the same. And it shall and may be lawful to and for any two of His Majesty's said Justices of the Peace to order the same to be taken down, dugup, removed, carried away, altered, or regulated in such manner as they shall think proper; and such owner or occupier shall forfeit a further sum equal to the expenses and charges of abating, throwing down, digging up, removing, altering and regulating such annoyance :—PROVIDED always that no dwelling house or any wall thereof, which shall have been built for more than three months, shall be pulled down or removed, or the owner be in any way affected by virtue of this Rule, Ordinance and Regulation, although he may be otherwise subject to the law against public nuisances.

To forfeit not exceeding one thousand Sa. Rs.

And the owner a like penalty after notice under the hands of two Just ces to remove the same.

Who may also cause the same to be removed, &c.

And the owner or occupier to forfeit charges of removal, &c.

Proviso that no building, &c. of three months standing shall be so removed, or the owner affected by this Rule although otherwise subject to the law against nuisances.

Power vested in two Justices to make roads, drains, &c.

Subject to provisions after mentioned.

VI.—And be it further ordained by the authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance, and Regulation, it shall and may be lawful for any two or more of His Majesty's said Justices of the Peace, and they are hereby authorized, to make out and complete, in and through the said Settlement, within the limits aforesaid, all and every such roads, passages and streets, drains and sewers as they the said Justices of the Peace shall judge convenient and expedient to be made, cut and completed ; subject to the provisions hereafter ordained.

And to treat with all owners of houses lands, &c. for the purchase of the same for such purposes.

VII.—And for enabling the said Justices of the Peace to effect the purposes aforesaid, be it further ordained by the authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, any two or more of the said Justices of the Peace shall have, and they are hereby declared to have full power and authority to treat and agree with the Owners of such lands, houses, tenements, and other hereditaments, within the limits aforesaid, as it shall and may be necessary to purchase for the purposes of cutting any drains, or sewers, and of making and completing such roads, streets, and passages as aforesaid, for the purchase of the same.

And in case of such owners refusing to treat or not agreeing for the sale of such lands or houses, &c. as it may be necessary to purchase,

To ascertain the value by a jury of twelve men.

VIII.—And it is hereby further ordained by the authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance, and Regulation as aforesaid, in case any person or persons shall refuse to treat, or shall not agree for the sale of any such lands, houses, tenements, or hereditaments through which it may by any two or more of the said Justices of the Peace be deemed necessary to cut or open any new drain or sewer, or make such roads, streets and passages as aforesaid, that then and in such case the said Justices of the Peace shall cause the value of the said premises to be enquired into and ascertained by and on the oath of a

Jury

Jury of twelve indifferent men, it being where the property of a Native shall be in question hereby made lawful for the sheriff to return Natives together with British subjects upon the Jury hereinafter mentioned, resident in the same Settlement (which oath the said Justices of the Peace are hereby empowered and required to administer) to be summoned by the Sheriff in manner hereinafter mentioned, what damages will be sustained by, and what recompense and satisfaction shall or ought to be made to such owners, or other person or persons, interested in the same premises, or any part thereof, for their respective interest therein. And in order thereunto, the said Justices of the Peace are hereby empowered and required, from time to time, as there shall be occasion, to summon and call before the said Jury, by written notice for that purpose to be given, and to examine upon oath all persons whatsoever, who shall be thought necessary or proper to be examined as witnesses touching or concerning the premises; which oath the said Justices of the Peace are hereby empowered and required to administer. And if any of the parties interested shall request the same, or the said Justices of the Peace shall think it necessary, they shall also cause the said Jury to view the places or place in question, and shall use all other lawful ways and means, as well for their own as for the said Jury's information, in the premises, in such manner as they the said Justices of the Peace shall think fit. And after the said Jnry shall have so inquired of, and ascertained and settled such damages and recompence, they the said Justices of the Peace shall thereupon order and adjudge the sum or sums of money so assessed by the said Jury for such premises as aforesaid, to be paid to the person or persons interested in the said premises, or any part or parts thereof, accordingto the verdict and inquisition so had and made as aforesaid; and such order and adjudication so had and made, shall be final and conclusive to all intents and purposes, against all parties and persons whatsoever, claiming in possession, remainder, revision, or otherwise, their heirs, executors or administrators, or successors respectively, as well absent as present; infants, femes covert, lunaticks, idiots and persons under any disabilities whatsoever, as well as all other person and persons whomsoever, and all and every person or persons, in any wise interested in the premises or in any part or parts thereof, shall from and after payment or tender of the money so assessed and adjudged as aforesaid, as hereafter directed, be to all intents and purposes divested of all right, title, claim, interest, or property of, in or to the same.

Who shall be summoned by the Sheriff.

What satisfaction ought to be made, &c.

For which purpose witnesses to be summoned.

And the said Jury to view the locus in quo if required by owners, or if the Justices think fit.

Sums assessed to be adjudged to be paid to such owners.

Such adjudication to be conclusive against all claims.

IX.—And be it hereby further ordained by the authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, if any person or persons shall be intitled, either in reversion or remainder, to any such premises, the money so to be awarded as a satisfaction in manner herein-before mentioned, shall go and be settled to the same use or uses, as the same premises were for which such money shall be paid, unless such person so interested, shall consent to give up such interest, the charge of the conveyance of the same to be defrayed by the said Justices of Peace, from such funds as they may be authorized to apply to the purposes aforesaid.

Where persons entitled in reversion or remainder.

Sums assessed to be settled to the same uses, &c.

Except the parties interested wish otherwise.

X.— And be it further ordained by the authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation

In case of the title to the property being disputed.

Regulation as aforesaid, in all and every case wherein disputes may arise and different claims and titles may be set up to any of the lands, houses, tenements or hereditaments, which the said Justices of the Peace may find it necessary to purchase, for carrying into execution the purposes of this Rule, Ordinance and Regulation, the sum or sums of money which shall be assessed, and adjudge in manner aforementioned, to be the value of such premises shall, and is hereby directed and required, to be paid into the hands of the Accountant General of the Supreme Court of Judicature, for the use and benefit of such person or persons, who shall or may appear entitled thereto, by any order, decree or judgment of the said Supreme Court.

Sums assessed to be lodged with the Accountant General, in order to abide the event of any order or decree of Supreme Court.

Form of summoning Juries.

XI.—And be it further ordained by the authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, for the summoning and returning of such Jury or Juries, the said Justices of the Peace are hereby empowered from time to time, to issue their warrant or warrants to the Sheriff of the Town of Calcutta, thereby requiring him to impanel, summon, and return an indifferent Jury of twenty-four persons as aforesaid, resident in the said Town, to appear before the said Justices of the Peace, at such time and place as in such warrant or warrants shall be appointed; of which time and place, all parties interested shall have ten days notice in writing, to be given to the said parties, or left at their dwelling house, or usual place of abode. And the said Sheriff, or his Deputy or Deputies is and are hereby required to impanel, summon and return such twenty-four persons accordingly; and out of the persons so empanelled, summoned and returned, or out of such of them, as shall appear according to, or upon such summons, the said Justices of the Peace shall cause to be sworn twelve, who shall be the Jury for the purposes aforesaid. And for default of a sufficient number of Jurymen, the said Sheriff, or his Deputy or Deputies shall return so many of the standers by, as shall be necessary to make up the number of twelve, to serve on such Jury, Provided nevertheless, that nothing herein contained shall authorize the Justices of the Peace, or any person or persons acting by their authority, to take possession of any house, land, tenement or hereditament whatsoever, for which such Jury shall have ascertained the damages to be sustained, and recompence to be given, until the said Justices of the Peace or their Agent or Agents shall have paid or tendered the full sum or sums so assessed, to the Person or persons to whom the said Justices of the Peace shall have adjudged and ordered the same, according to the true intent of this Rule, Ordinance and Regulation. PROVIDED also, and be it ordained by the authority aforesaid, that all persons concerned shall, from time to time, have their lawful challenges against any of the said Jurymen, when they come to be sworn; and the said Justices of the Peace, acting in the premises, shall have power to continue the said Jury empannelled, as in civil cases by the law of England, until they shall have given their verdict upon the matter submitted to them and in case any person duly summoned and returned on such Jury shall not appear or shall refuse to be sworn on such Jury, or having been sworn shall depart without having given a verdict, or in case

Justices to issue warrants to Sheriff.

To return twenty four persons Inhabitants of Calcutta.

To appear at time and place named in warrants.

Of which ten days notice to be given to all parties interested.

Twelve Jurymen to be sworn out of the twenty-four.

In default of sufficient number Sheriff or Deputy to return standers bye.

Proviso, that no property so valued shall be taken possession of by the Justices,

Till the full sum so assessed be paid or tendered to the owners thereof.

Challenges allowed.

Jury to remain empanelled till verdict given

And not appearing or refusing to be sworn,

any

any person duly summoned to appear as a witness, shall not appear or shall refuse to be examined, without any sufficient reason shewn to the said Justices, or appearing in that behalf respectively, the said Justices of the Peace shall have authority to impose a fine upon the person so offending, of not less than twenty, nor more than one hundred Sicca Rupees, and if such fine be not paid on demand, to levy the same by distress, and sale of the offender's goods and chattels, rendering the overplus, upon demand, if any, after all charges paid, to the person or persons whose goods and chattels shall be distrained and sold.

Or departing before verdict.
And witnesses disobeying summons or refusing to be examined,
To be respectively fined from twenty to one hundred Sa. Rs.
Which fine, not being paid, to be levied by distress, &c.

XII.—And be it further ordained by the authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, the said Sheriff be allowed for every summons each summons three Sicca Rupees, and no more; and for every return of a Jury sixteen Sicca Rupees and no more; and for the attending the said Justices of the Peace, and on the empannelling every Jury, eighty Sicca Rupees and no more; such fees to be paid by the said Justices of the Peace from such funds as they may be authorized to apply to the purposes aforesaid.

Sheriff to be allowed three Rupees for each summons.
Sixteen Rupees for return; eighty Rupees for attendance.
To be paid by the Justices.

XIII.—And be it further ordained by the authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, the said verdict, order and adjudication so given and made as aforesaid, shall be transmitted to and kept by the Clerk of the Peace, and shall be deposited with and be kept amongst the records of the Quarter Sessions of the Peace in and for the Town of Calcutta, and that true copies thereof shall be received and allowed as good evidence in all Courts.

Verdicts and adjudications before the justices to be sent to and kept by the Clerk of the Peace.
As records of the Quarter Sessions
True copies to be good evidence.

XIV.—And be it further ordained, by the authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, all persons of low condition, who shall come or repair to the Town of Calcutta, and Settlement aforesaid, armed with swords, spears, or other offensive weapons, made in part or entirely of steel iron, or other metal, shall deposit their said arms with the Thannadaur of the first Thanna at which he shall arrive, which Thannadaur shall give a receipt for the same and that the said person so depositing his arms shall upon his departure from Calcutta, obtain the same upon the production of the said receipt—And that if any person of low condition shall walk or parade, or appear in the highways, roads, streets, lanes or passages, within the said Settlement, with a sword, spear, or other, offensive weapon, made in part or entirely of steel iron or other metal in his hand, or exposed to view, whether sheathed or not sheathed, unless he be in the service of some person who shall have obtained the authority of Government at the said Settlement to retain and take the person so armed, in his or her retinue, or not being in such service, shall have obtained a licence to carry the same from any of His Majesty's said Justices of the Peace, acting in and for the Town of Calcutta, the said arms shall be forfeited, and shall be seized by any Thannadaur or other officer belonging to the Police, in and for the said Settlement, and the person from whom

Persons of low conditions coming armed to Calcutta.
To deposit arms with the Thannadaur of the first Thanna, who shall give a receipt for the same and on departure to obtain the same upon such receipt.
Any such person appearing in the streets &c. with arms,
Except in the service of persons authorized by Government to retain such armed men, or having obtained a licence.
To forfeit such arms, together with a fine not exceeding twenty Rs.
Thannadaur or other Officers of Police, may seize such arms,

And cite offender by word of mouth to attend before one of the Justices,

Who, on the parties appearance, or in default thereof on oath made of such citation, and non-appearance, may proceed to examination and judgment, &c.

And condemn and sell the arms, and levy the penalty by distress, if not paid.

whom they are seized shall also forfeit and pay a sum not exceeding twenty Sicca Rupees, and shall by the person seizing the said arms, be cited by word of mouth to attend before some one of His Majesty's Justices of the Peace, acting in and for the said Settlement, warning him at a given time and place, and the said Justice of the peace shall have power and authority in the presence of the said person, if he shall attend, or in his absence upon it being verified upon oath, that he was cited as aforesaid, to proceed to the examination of the fact and of the witnesses upon oath and to give judgment, as well for the penalty, which upon the confession of the party or the examination of the witnesses, may appear to have been incurred, as for the condemnation of such arms, and issue his warrant for the sale of the same; and also for the levying of the said penalty, if the same shall not be forthwith paid, by distress and sale of the offender's goods and chattels, rendering to such person the overplus after such penalty, and the charges of such distress and sale shall be deducted.

All forfeitures under this Ordinance, not otherwise directed, shall on proof before two Justices.

Be levied by distress and sale of the goods and chattels of the offenders.

Under the warrants of such Justices.

The overplus, if any, forfeitures & charges deducted, to be paid on demand to the offenders.

In case of insufficient distress and penalties not paid,

Offenders to be committed to gaol for not exceeding six months,

Unless forfeitures &c. be sooner paid.

Forfeitures to be paid into the Treasury.

And disposed of by Justices at their Sessions

XV.—And be it further ordained by the authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, all forfeitures and penalties by this Rule, Ordinance and Regulation, inflicted or authorized to be imposed, the manner of levying and recovering whereof is not herein otherwise directed, shall upon proof of the offences respectively before any two of his Majesty's Justices of the Peace, acting in and for the Town of Calcutta, and the said Settlement, either by the confession of the party or parties offending, or the oath of one or more witness or witnesses, which oath such Justices are hereby empowered to administer, be levied by distress and sale of the goods and chattels of the party or parties offending, by warrant under the hands and seals of such Justices, which warrant such Justices are hereby empowered to grant for such purpose, and the overplus after such forfeitures and penalties, and the charges of such distress and sale are recovered and deducted, shall be returned upon demand unto the owner or owners of such goods and chattels; and in case sufficient distress shall not be found, and such forfeitures and penalties shall not be forthwith paid, it shall and may be lawful for such Justices of the Peace as aforesaid and they are hereby authorized and required by warrant or warrants under their hands and seals, to cause such offender or offenders to be committed to the common gaol of Calcutta, there to remain without bail or mainprize, for any time not exceeding six months, unless such forfeitures and penalties and all reasonable charges shall be sooner paid or satisfied: and that all the forfeitures when paid or levied shall be from time to time paid into the Treasury of the United Company of Merchants of England, trading to the East Indies, and be employed and disposed of according to the order and directions of His Majesty's Justices of the Peace, acting in and for the Town of Calcutta and Presidency of Fort William, at their General Quarter or other Sessions.

Married women and female children unmarried, being under the age of thirteen years, of the Mahomedan and

XVI.—And whereas it hath frequently happened, that married women and also female children unmarried, such female children unmarried being within the age of thirteen years, of the Mahomedan and Hindoo Religion, have been enticed and taken away out of the protection and possession and against

against the will of their husbands, parents or guardians respectively, by the wicked machinations of evil-disposed persons, and that such persons or married women and female children respectively, have lived in a state of adultery, or have been sold as common prostitutes, or deflowered, or have been disposed of in marriage, against the will of their respective husbands parents or guardians, by those evil disposed persons, or by such as are in combination with them, to the great detriment of public morals, and to the injury of the said married woman and female children, and of their respective husbands, parents and guardians or other persons having the lawful care of such female children as aforesaid : Be it therefore further ordained by the authority aforesaid, that if, after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, any person or persons shall within the Town of Calcutta, or Settlement of Fort William, unlawfully take or convey, or cause to be taken or conveyed away or shall unlawfully entice away any married woman or female children unmarried, such female child being under the age of thirteen years, out of the possession or protection and against the will of her husband, or of the father or mother, or guardian, or any other person, who shall happen to have by any lawful ways or means the order, keeping, education or governance of such female child, for the purpose of living in adultery with her, or of making a concubine or common prostitute, or of deflowering or disposing of her in marriage against the will of her husband, father, mother or guardian or such other person as aforesaid respectively, it shall and may be lawf l for such husband, father, mother, guardian or such other person aforesaid, to complain of such injury and offence to two Justices of the Peace, acting in and for the Town of Calcutta, and the said Settlement of Fort William in Bengal, and that two Justices of the Peace shall have power and authority, at the instance of the person or persons complaining, to take cognizance of such complaint to issue their summons or warrant, for bringing the party or parties complained of before them, to hear the parties, to examine witnesses upon oath, and having taken in writing the substance of the complaint, defence and evidence, to acquit or convict the person or persons accused, and in case of conviction, to order and adjudge every such person or persons so convicted, to pay a fine not exceeding Sicca Rupees two hundred of lawful money of Bengal—And in case any person or persons so convicted, and upon whom such fine or fines shall be so imposed, shall not forthwith pay the said fine or shall require time to pay the same within one week after such conviction, during which week the person or persons so convicted, and failing to pay the same, shall be committed by the said Justices to safe custody, it shall and may be lawful for the said Justices to order the person or persons so convicted, and failing to pay such fine or fines at the expiration of the sa'
of correction to hard labour, for
calendar months.

Hindoo Religion, having been enticed and subducted from their husbands, parents, or guardians,

Have lived in adultery or been sold as prostitutes or deflowered, &c.

Persons unlawfully taking away or causing to be taken away, or enticing away married women, or female children unmarried, and under thirteen years of age from and against the will of husbands, or of parents, or guardians, or others having the keeping of such female children,

For the purpose of living in adultery with, or of prostituting or deflowering, or disposing in marriage of such wives or children, &c. against the will of their husbands, parents, &c.

Husbands, parents, &c. may complaint to two Justices.

Form of proceeding.

Persons so offending to be fined not exceeding two hundred Rupees.

And in default of paying the fine adjudged, within one week, during which to be kept custody,

To be committed to the house of correction to hard labour for not

A RULE, ORDINANCE and REGULATION for the good order and Civil Government of the Settlement of Fort William in Bengal.

PASSED IN COUNCIL 23d March.—REGISTERED IN SUPREME COURT OF JUDICATURE, 13th April, 1816.

Preamble.

Recites that several Ships having been destroyed by Fire,

Supposed to have been wilfully burnt by Seamen.

Expediency of providing against the same.

WHEREAS several Ships with valuable cargoes on board have been lately consumed in the River Hooghly and Port of Calcutta by fire, and there are just grounds for believing that they have been wilfully burnt by some of the Lascars or Seamen on board thereof, who had received wages in advance—AND WHEREAS it is deemed just, reasonable and expedient to provide against the further commission of such a crime, involving in it the probable destruction of other Shipping in the Port of Calcutta, and endangering the City of Calcutta itself and its inhabitants.

Recital of Act 13 Geo. 3d.

And of Act 40 Geo. 3d.

That from and after the due registry hereof,

If any Ship, &c. be employed for the conveyance of goods or passengers, whether in external or internal navigation,

On board of which any Seamen shall have been hired by the month, or longer period, and shall at the time of any burning &c. as after mentioned, have received any advance of wages or impress.

In case such ship &c. shall be prevented from proceeding by Fire

SECTION I. Be it therefore ordained by the Right Honorable FRANCIS EARL of MOIRA, Knight of the Most Noble Order of the Garter, Governor General in Council of and for the Presidency and Settlement of Fort William in Bengal, by virtue of the Powers and Authorities in him vested by a certain Act of Parliament passed in the thirteenth year of the reign of His Majesty King George the Third, entitled an "Act for establishing "certain Regulations for the better management of the affairs of the East "India Company, as well in India as in Europe," and by a certain other Act of Parliament passed in the fortieth year of the reign of His said Majesty King George the Third, entitled "an Act establishing further Re-"gulations for the Government of the British Territories in India, and "the better administration of Justice within the same," That, from and after the due registry and publication of this Rule, Ordinance and Regulation in the Supreme Court of Judicature at Fort William in Bengal, with the consent and approbation of the said Supreme Court, if the said Court shall in its discretion approve of and consent to the registry and publication of the same, if any Ship, Vessel or Craft be employed for the conveyance of Goods and Merchandize, or Passengers, by Water, whether in the external or internal navigation, in which any Seaman, Mariner, or other person of whatever description, concerned in the care or in the navigation of or employed on board of such Ship, Vessel or Craft, shall have been [illegible] or for any longer time, and shall, at the time of any [illegible] after mentioned, have received any advance of [illegible] contracted to be performed in such Ship, [illegible] Ship or Ships, Vessel or Vessels or Craft [illegible] equal or less extent, and on board of which

which the Captain or Owner of the said first Ship Vessel or Craft shall desire him to serve out the time for which he shall have received wages in advance, or impress, in case the said first or other Ship, Vessel or Craft shall be prevented from proceeding by fire, or any other injury, occasioned by any other means than the act of God or the dangers of the Navigation, within the time for which he shall have so received advance of wages or impress, and such Ship, Vessel or Craft, for which he shall have received wages in advance or impress, shall be prevented, by fire or any other injury, occasioned by any other means than the act of God or the dangers of the Navigation, from proceeding to her destined Port or place, or upon her intended Voyage or Course from the Port of Calcutta or continuing the same,—all and every such Seaman, Mariner, or other persons, other than the Captain and Mates of any such Ship, Vessels or Craft, who shall have received any wages as aforesaid in advance, or any impress for the said purpose, shall serve the time for which he shall have so received advance of wages or impress, and which shall remain unexpired, on board any other Ship, Vessel, or Craft destined on any Foreign, Coasting or internal Navigation, of equal or less extent to or than the Voyage or Course, the Ship, Vessel or Craft, so burnt, or otherwise as aforesaid, prevented proceeding on her Voyage or Course, was to have gone upon and which he shall have been ordered to go on board of by the Captain or Owner or Owners of the Ship, Vessel or Craft for which he shall have so received wages in advance, or impress as aforesaid: And if any Seaman, Mariner or other person shall refuse to go on board such other Ship, Vessel or Craft, and to serve on board thereof as a Seaman or Mariner, or in such other situation as he had engaged to serve in on board of the first Ship Vessel or Craft, or having gone on board thereof shall desert from or be wilfully absent from the same without leave, it shall and may be lawful for any two Justices of the Peace acting in and for the Town of Calcutta and the said Settlement of Fort William, upon complaint to them made thereof, to take cognizance of such complaint, to issue their warrant for bringing the party or parties complained of before them, to hear the said parties, to examine witnesses and having taken in writing the substance of the complaint, defence and evidence, to acquit or convict, the person or persons so accused, and in case of conviction, to adjudge the parties so convicted to imprisonment in the house of correction of the Town of Calcutta and Settlement of Fort William aforesaid there to be kept to hard labour for a time not exceeding two months beyond the period of time for which he had so received wages or impress at the time of such desertion, wilful absence, or refusal to serve as aforesaid, or to the common gaol of the said Town of Calcutta and Settlement of Fort William, for such time not exceeding two months beyond the period of time for which he had so received wages or impress, at the time of such his desertion, wilful absence or refusal to serve as aforesaid, and by warrant under their hands and seals to commit the said offender or offenders according to his or their said respective sentences.

any other means than the act of God or the dangers of navigation,

Within the time for which such Seaman shall have received advance or impress,

And such Ship, &c. shall be prevented by Fire, &c. except as aforesaid from proceeding to her destined Port,

Or upon intended Voyage from the Port of Calcutta, or continuing the same;

Such Seamen other than the Captain and Mates shall serve the time for which he shall have received advance or impress,

On board of any other Ship &c. on any navigation of equal or less extent than the Voyage intended for the Ship, &c. burnt, &c. and on which he shall be ordered to go on board by the Captain or owner of the Ship for which he shall have received advance or impress.

And upon refusal, or having gone on board, Shall desert or be wilfully absent without leave,

Two Justices upon complaint may take cognizance thereof.

Mode of proceeding.

Upon conviction may adjudge offender to be imprisoned in the house of correction and kept to hard labour,

For not exceeding two months beyond the time for which he had received advance or impress at the time of desertion, &c.

Or to the common gaol of Calcutta for the like period, &c.

And commit accordingly.

II. AND WHEREAS domestic servants, of every description, have an easy and speedy mode of redress, for any assaults or violence committe[d]

Recites that domestic servants have an e[asy]

mode of redress for injuries committed against them by their Masters. Under the Rule of the 11th of November, 1814.

That Masters, &c. have no tribunal of appeal for misconduct of their servants,

Expedient to provide for the same.

That any two Justices may upon complaint made against any menial Servant,

For miscarriage, ill-behaviour, insolence or neglect of duty,

Take cognizance thereof.

Mode of proceeding.

Upon conviction, may adjudge offender to be imprisoned in the house of correction and kept to hard labour,

For not exceeding two months.

Or to the common gaol for the like period.

And commit accordingly.

committed against them by their Masters or Mistresses, under an Ordinance registered in the aforesaid Supreme Court on the eleventh day of November in the year of our Lord one thousand eight hundred and fourteen, and for the recovery of their wages in the Court of Commissioners for the Recovery of Small Debts but their Masters and Mistresses have no tribunal at present to appeal to against them, for any wilful miscarriage, ill behaviour, insolence or neglect of duty—AND WHEREAS many complaints arise of such miscarriage, ill behaviour, insolence and neglect of duty, and of the want of lawful means to redress the same—AND WHEREAS it is thought by us just and reasonable, and that it will tend to preserve the good order and Civil Government of the Town of Calcutta and the said Settlement of Fort William, if a suitable remedy be provided against the said grievance: Be it therefore further ordained by this authority aforesaid, that, from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, it shall and may be lawful for any two Justices of the Peace acting in and for the Town of Calcutta and Settlement of Fort William aforesaid, upon complaint made to them against any menial Servant employed in or about the house or out-house, or in or about the Stables or Coach-ho ses of any person in Calcutta and the Settlement of Frot William aforesaid, of and concerning any miscarriage, ill behaviour, insolence or neglect of duty in such service, or towards his, her or their respective Masters or Mistresses, to take cognizance of such complaint, to issue their warrant for bringing the party or parties complained of before them; to hear the said parties, to examine witnesses, and having taken in writing the substance of the complaint, defence and evidence, to acquit or convict the person or persons so accused, and in case of conviction to adjudge the party so convicted to imprisonment in the house of correction of the Town of Calcutta and Settlement of Fort William aforesaid, there to be kept to hard labour for a time not exceeding two months, or to imprisonment in the common gaol of the said Town of Calcutta and Settlement of Fort William, for such time not exceeding two months, and by warrant under their hands and seals to commit the said offender or offenders according to their said respective Sentences.

A RULE ORDINANCE and REGULATION for the good Order and Civil Government of the Settlement of Fort William in Bengal.

Passed in Council 1st March.—Registered in the Supreme Court of Judicature, 26th March, 1816.

Preamble.

Recites disturbances by absent Seamen remaining in Calcutta.

WHEREAS the peace and good order of the Settlement of the United Company of Merchants of England Trading to the East Indies at Fort William in Bengal, is frequently disturbed by British and foreign Mariners and Seamen leaving their ships without leave, and coming into or being in Calcutta, or having obtained leave, remaining in Calcutta, after their leave has expired—AND WHEREAS it is deemed just, reasonable and necessary to provide some remedy against such conduct.

Recital of Act 13 Geo. 3d.

And Act 40 Geo. 3d

If any British or foreign Seaman of any Ship lying in the River Hoogly, or in the Dock, shall leave or be absent therefrom without leave, or against the will of the Master or person in command thereof, or continue on shore after leave expired and be found in Calcutta,

Two Justices may upon complaint made, issue their warrant to apprehend such Seaman.

Form of proceeding.

Upon conviction may commit him to the house of correction to hard labour, or to the common gaol for not exceeding thirty days.

Be it therefore ordained by the Right Honorable Francis Earl of Moira, Knight of the Most Noble Order of the Garter, Governor General in Council of and for the Presidency of Fort William in Bengal, under and by virtue of the powers in him vested by a certain Act of Parliament, passed in the thirteenth year of the reign of His Majesty King George the Third, entitled "an Act for establishing certain Regulations for the "better management of the affairs of the East India Company, as well in "India as in Europe," and by a certain other Act of Parliament, passed in the fortieth year of the reign of His said Majesty King George the Third, entitled "an Act for establishing further Regulations for the Go-"vernment of the British Territories in India, and the better Administra-"tion of Justice within the same," that, from and after the due registry and publication of this Rule, Ordinance and Regulation in the Supreme Court of Judicature at Fort William in Bengal, with the consent and approbation of the said Supreme Court, if the said Court shall in its discretion approve of and consent to the registry and publication of the same— If any British or any foreign Mariner or Seaman of and belonging to any Ship or Vessel lying or being in the port of Calcutta, or any where in the River Hoogly, or being in Dock, shall leave or be absent from his said Ship or Vessel, without leave or against the will of the Master or person in command thereof, or having obtained leave to come on shore, shall continue on shore after his leave shall have expired, or have been revoked, and be found in Calcutta at Fort William in Bengal aforesaid, it shall and may be lawful for any two Justices of the Peace, acting in and for the Town of Calcutta and Settlement of Fort William in Bengal, upon complaint made to them by the Master or any Officer or person belonging to the said Ship or Vessel, to issue their warrant to apprehend such Mariner, to bring him before them, and to hear the parties, to examine witnesses, and having taken in writing the substance of the complaint, defence and evidence, to acquit or convict the person accused of having acted as aforesaid and in case of conviction to commit him to the house of correction, there to be kept to hard labour, or to the common gaol of Calcutta, for a period not exceeding thirty days.

A RULE, ORDINANCE and REGULATION for the good Order and Civil Government of the Settlement of Fort William in Bengal.

Passed in Council 14th June,—Registered in the Supreme Court of Judicature, 8th July, 1816,

---

Preamble. Recites that the introduction of spirituous liquors and wines into Fort William, without the permission of the Commanding Officer, had occasioned much disorder amongst the European Soldiers &c. And that there was no remedy against the same.

WHEREAS the introduction of spirituous liquors and of wines into the garrison of Fort William from the Town of Calcutta without the permission of the Commanding Officer of the said garrison, has been the occasion of much disorder amongst the European soldiers, and been the cause of injuring their health—and Whereas there are no means at present of effectually preventing the same, and it is deemed just, reasonable and expedient to provide for the good order and Civil Government of the Settlement of Fort William in Bengal in that respect.

Recital of Act 13th of Geo. 3d.

And Act 40 Geo. 3d.

If any person shall take or be detected in attempting to take into the garrison of Fort William from Calcutta, any spirituous liquors or wine, without the license of the Commanding Officer or other person authorized, Unless the same belong to some Commissioned Officer or other person above the rank of a Private Soldier, or a Noncommissioned Officer.

Be it therefore ordained by the Right Honorable Francis Earl of Moira, Knight of the Most Noble Order of the Garter, Governor General of and for the Presidency of Fort William in Bengal in Council, by and in virtue of the powers in him vested by a certain Act of Parliament passed in the thirteenth year of the reign of His Majesty King George the Third, entitled "an Act for establishing certain Regulations for the "better management of the affairs of the East India Company, as well in "India as in Europe," and by a certain other Act of Parliament passed in the fortieth year of the reign of his said Majesty King George the Third, entitled "an Act for establishing further Regulations for the Government "of the British Territories in India and the better administration of justice within the same," That from and after the due registry and publication of this Rule, Ordinance and Regulation in the Supreme Court of Judicature at Fort William in Bengal, with the consent and approbation of the said Supreme Court, if the said Court shall in its discretion approve of and consent to the registry and publication of the same, If any person shall take, or be detected in attempting to take into the garrison of Fort William, from any part of the Town of Calcutta, any quantity of spirituous liquor or wine of any description, without a license from the commanding Officer of the said garrison, or of some other person thereunto authorized, unless such spirituous liquor, or wine, shall belong to some commissioned

Commissioned Officer, or to some person above the rank and situation of a Private Soldier, or a Non-commissioned Officer, it shall and may be lawful for two Justices of the Peace, acting in and for the Town of Calcutta and Settlement of Fort William, upon complaint, to them thereof made, to take cognizance of such complaint, to issue their summons or warrant, for bringing the party or parties complained of, as also the liquor or wine, and the vessels wherein the same shall be contained, before them, to hear the parties, to examine witnesses, and having taken in writing the substance of the complaint, defence and evidence, to acquit or convict the person or persons accused; and in case of conviction, to adjudge the said liquor or wine, and the vessel or vessels wherein the same shall be contained, to be forfeited and to be thrown away and destroyed, and to inflict upon such person or persons so convicted, a suitable punishment by fine not exceeding one hundred Sicca Rupees, and, in default of payment of the said fine within the space of one hour, by imprisonment for a period not exceeding two months in the common gaol of Calcutta, or in the house of correction, there to be kept to hard labour, unless such fine shall be sooner paid

Two Justices may upon complaint made issue their summons or warrant for bringing the offender and the liquor and vessels containing the same before them.

Form of proceeding.

Upon conviction to adjudge forfeiture of the liquor and vessels.

And inflict upon the offender a fine not exceeding 100 Sa. Rs.

In default of payment within one hour offender to be imprisoned for not exceeding two months, in the common gaol, or house of correction to hard labour, unless fine be sooner paid.

A RULE, ORDINANCE and REGULATION for the good Order and Civil Government of the Settlement of Fort William in Bengal.

PASSED IN COUNCIL, 21st June.—REGISTERED IN THE SUPREME COURT OF JUDICATURE, 24th July, 1816.

Preamble.

Recites a representation made by Merchants and Owners of Ships and Underwriters that great hardships, delays and unnecessary expence exist in procuring Seafaring Men from the conduct of Ghaut Syrangs, whose impositions are equally injurious to the Seamen as to themselves.

WHEREAS the principal Merchants and Owners, and Masters of Ships, and Underwriters, at Fort William in Bengal, have represented to the Governor General in Council of and for the Presidency and Settlement of Fort William in Bengal, that the extensive Maritime Trade from the Port of Calcutta throughout the greatest part of India and to Europe, carried on by them, is subjected to great hardships, delays, hindrances, difficulties, and an unnecessary expense, in procuring proper Seafaring Men to fit out and man the Ships and Vessels navigating to and from the Port of Calcutta, occasioned by the mode in which only at present they can procure such Seafaring Men, namely, by application to certain persons called Ghaut Syrangs, from whose impositions both they and the said Seafaring Men are subjected to grievous and heavy losses, the said Ghaut Syrangs on all occasions demanding an immediate excessive advance of Impress Money for all such Seafaring Men as are required to man the said Ships or Vessels, although the Voyage for which they are engaged may be of short duration, and seldom supplying the said Ships or Vessels with half the number required, until the said Ships or Vessels have broken ground, whereby the said Ships or Vessels are frequently delayed many days, and in the end are not supplied with the whole number agreed and paid for: AND WHEREAS the said Ghaut Syrangs do frequently, instead of able Seamen, put on board the said Ships and Vessels Men kidnapped or forcible impressed, and altogether unused to the Sea and unacquainted with the Business of a Seaman, which Men, instead of receiving the Impress and Wages actually advanced to the said Ghaut Syrangs for able bodied Seamen, are retained by the said Ghaut Syrangs for some very small and triffling consideration, and are rather a burthen than of service to the Ships in which they are received: AND WHEREAS such Seafaring Men as are procured by Ghaut Syrangs, and their Widows and the Families of such of them as die on a Voyage, are greatly defrauded of the just Wages paid for their use to the said Ghaut Syrangs, to the discouragement of all such persons from pursuing the Seafaring life, to the danger and hazard to the Ships and Cargoes, and to the great loss and detriment of the said Merchants, Owners, and Masters of Ships: AND WHEREAS inconveniences of the like nature, from the same causes, have been experienced in the case of Pilot Vessels and other Ships or Vessels fitted out for the Service of the United Company of Merchants of England Trading to the East Indies: AND WHEREAS several Ships, with

Destruction of Ships by fire; suspicion attaches to the Lascars, &c.

with valuable Cargoes on board, have been lately consumed in the River Hoogly and Port of Calcutta by fire, and there are just grounds for believing that they have been wilfully burnt by some of the Lascars or other Seamen on board thereof who had received impress or Wages in advance: AND WHEREAS it is deemed just, reasonable, and expedient to provide against the further commission of such Crimes, involving in it the probable destruction of other Shipping in the Port of Calcutta, and endangering the Town of Calcutta itself and its Inhabitants: AND WHEREAS the said Memorialists have represented to the said Governor General in Council, that the said inconvenience would be obviated, and the Trade and Commerce of the Port of Calcutta be greatly encouraged, benefitted, and protected, if certain Regulations, by them proposed and which are hereinafter contained, should be enforced by Law: AND WHEREAS a Rule Ordinance and Regulation, intituled "A Rule, Ordinance and Regulation for ascertaining and fixing the Wages to be paid to the Native Seafaring Men belonging to the Port of Calcutta, and for securing the same to the said Men as also for the better providing the Ships and Vessels navigating to and from the said Port, with Native Seafaring Men," made and passed in Council by the Governor General in Council of Fort William in Bengal, the Tenth Day of March in the Year of Our Lord One Thousand Seven Hundred and Eighty-three, and afterwards duly registered and published in the Supreme Court of Judicature at Fort William in Bengal has been rendered in a great measure useless, and is not in other respects calculated to the present state of Commerce in the Port of Calcutta to prevent the difficulties and inconveniences above complained of: AND WHEREAS it is for the reasons, aforesaid, deemed just, reasonable, and expedient to repeal the aforesaid Rule, Ordinance and Regulation.

Rule of the 10th of March 1783, found insufficient.

I. Be it therefore ordained by the Right Honorable FRANCIS EARL OF MOIRA, Knight of the Most Noble Order of the Garter, Governor General of and for the Presidency and Settlement of Fort William in Bengal in Council, by and in virtue of the Authority and Powers in him vested, by a certain Act of Parliament, made and passed in the Thirteenth year of the reign of His Majesty King George the Third, intituled "An Act for establishing certain Regulations for the better management of the Affairs of the East India Company, as well in India as in Europe;" and by a certain other Act of Parliament, passed in the fortieth year of the Reign of His said Majesty King George the Third, intituled "an Act for establishing further Regulations for the Government of the British Territories in India, and the better Administration of Justice within the same," That the hereinbefore recited Rule, Ordinance and Regulation shall, from and after the due registry and publication of this Rule, Ordinance and Regulation in the Supreme Court of Judicature at Fort William in Bengal, with the consent and approbation of the said Supreme Court, if the said Court shall in its discretion approve of and consent to the registry and publication of the same, be and the same is hereby declared to be annulled and repealed.

Recital of Act 13 George 3.

And Act 40th Geo. 3.

Rule of 1783 repealed.

II. And be it further ordained by the authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation as

Fixes the rates of Wages of Seamen according to

the following Table, unless they shall voluntarily agree to a different rate.

as aforesaid, the Wages of all Seafaring Persons, European and others, of the several denominations hereinafter mentioned, who shall be shipped from the Port of Calcutta, to serve on board of any Ship or Vessel belonging to, or navigating to and from the said Port be according to the following Table, unless the parties shall voluntarily, by writing signed by them, and each of them respectively, and by their signatures acknowledged before the Registrar after mentioned, mutually agree for a different rate of Wages, which writing and the explanation thereof to the said Seafaring Men must be attested by the said Registrar:

	China and Country Voyages.	Europe Voyages.
	Rs.	*Rs.*
Gunner,	40 per Month	50 per Month.
Carpenter	40	50
Boatswain,	40	50
Seacunnies,	20	25
Serang,	20 to 30	25 to 40
First Tindal,	12	15
Other Tindals,	11	14
Lascars, able Seamen,	10	12
Ordinary ditto,	8	10
Landsmen,	6	8
Kussaubs,	11	14
Bandarries,	8	10
Topasses	6	8
Havildars,	12	15
Sepoys	8	10
Captains' Cook and Butler	12	15
Officers' Servants,	8	11

	£	*S.*	*D.*	*Rs.*	*As.*	*P.*	
European Carpenter's Mate,	4	0	0	32	0	0	per Month.
Gunner's ditto,	3	0	0	24	0	0	
Boatswain's ditto,	3	0	0	24	0	0	
Able Seaman,	2	10	0	20	0	0	
Ordinary ditto,	1	15	0	14	0	0	

Captains, &c. paying or contracting to pay a greater or less rate unless as aforesaid, to forfeit Two Hundred Sa. Rupees for each person.

AND that if any Captain, Commander or Owner of any Ship or Vessel navigating to or from the Port of Calcutta, or their Agents, or any person whatsoever, whether employed by the United Company of Merchants of England trading to the East Indies, or others, shall pay, or cause to be paid, or contract to pay on account of Wages to such persons as are described in the said Table, and shall be hired at Calcutta, a greater or less sum than the sums thereby directed to be paid, unless as aforesaid, he or they shall severally forfeit for every person to whom he or they shall pay or contract to pay such greater or less Wages than hereinbefore described, the sum of Two Hundred Sicca Rupees; and that such Seafaring Men, if

if engaged in any Ship or Vessel sailing from this Port to Madras, Bombay, Rangoon, the Straits of Malacca, Bencoolen, or China, shall be paid two Months Impress Money, according to the said Table, and no more, unless as aforesaid; if to the Persian Gulph, Isle of France, Cape of Good Hope, Manilla, New South Wales, Java, Amboyna, and unlimitted Eastern voyages, three Months Impress Money, according to the said Table, and no more, unless as aforesaid; if to Europe, four months Impress Money, according to the said Table, and no more, unless as aforesaid; which said several Impress Monies shall be paid to such Seafaring Men upon their being retained for the Voyages through the means of the Registrar hereafter-mentioned, and by him only: PROVIDED ALWAYS, that no Impress shall be paid or be contracted to be paid to any of the persons hereinbefore described, or to any other person of whatever description concerned in the Care or in the Navigation of, or employed on board of any Ship or Vessel, save and except to the Captain and Mates of any such Ship or Vessel, under the Penalty of Two Hundred and Fifty Sicca Rupees for each and every person to whom such Impress shall be paid or be contracted to be paid, unless such Seamen or Seafaring Man shall contract to serve so much of the time for which he shall receive such Impress or Wages in advance for any Ship or Vessel, and as shall remain unexpired, in case of the Ship or Vessel for which he shall have so received such Impress or advance of Wages being prevented by fire or any other injury, occasioned by any other means than the act of God, or the Dangers of the Navigation, from proceeding to her destined Port or Place, or upon her intended Voyage or Course, on board of any other Ship or Vessel destined on a Voyage of equal or less duration and extent to or than the Voyage the said Ship or Vessel so burnt, or otherwise as aforesaid, prevented from proceeding on her Voyage or Course, was to have gone, and which he shall be ordered to go on board of by the Captain or Owner or Owners of the Ship or Vessel for which he shall have so received Wages in advance, in which new Voyage so much only of the Wages so to be received in advance as aforesaid, shall be carried to account against the said Seafaring Man, as Wages for the said new Voyage, as shall be equal to the time then remaining unexpired for which he received the said Wages in advance.

Impress Money regulated according to the Voyage, and to be paid by the Registrar only.

Proviso that no Impress shall be paid except to the Captain and Mates of Ships, under the penalty of Two Hundred and Fifty Sicca Rupees for each person, unless such Seaman, &c. shall contract to serve the full time for which he shall receive such Impress remaining unexpired, in case the Ship be prevented by fire or otherwise than the act of God, &c. from proceeding to her destined on a voyage on board of any other Ship destined on a voyage of equal or less duration, and on which he shall be ordered to go.

Balance of impress to be carried to account.

III. And be it further ordained by the Authority aforesaid, that for the purpose of registering the Names of such Seafaring Men described in the said Table, as are or shall be hired at Calcutta aforesaid, and employed on board such Ships or Vessels, and for the purpose of supplying the same with such Seafaring Men, and for the other purposes hereinafter directed, there shall be established and erected in the Town of Calcutta, immediately from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, a public Office, which shall be called the Marine Registry Office: and that for the due superintendance of the same, there be from time to time appointed, by the Governor General in Council, one principal Officer, to be called the Registrar of the Marine Registry Office,—who shall hold such Office, and be removeable from the same at the pleasure of the said Governor General in Council; and that the said Registrar

Marine Registry Office established.

Registrar appointed by the Governor General in Council and removeable at pleasure.

Salary One Thousand Rupees per month in lieu of all other Emoluments, to be paid out of the Funds after mentioned.

Registrar shall have and receive a Salary of Sicca Rupees One Thousand per month, as a full compensation for his services and in lieu of all or any other emoluments whatsoever, to be paid out of the funds hereinafter mentioned.

The names of all Seafaring Men belonging to the Port of Calcutta to be registered in the said Office.
Mode of Registry of Seamen.
One book for Seamen in the Company's Service.

IV. And be it further ordained by the Authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, the Name of every Seafaring Man of the denomination described in the aforesaid Table, who belongs or shall belong to the Port of Calcutta, and who is at present, or shall hereafter be employed on board of any Ship or Vessel in the service of the United Company of Merchants of England trading to the East Indies, or employed by the said United Company or for or on account of the said United Company by the Governor General in Council, or their Agents; or on board of any Ship or Vessel belonging to or navigating to and from the Port of Calcutta, shall from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, be duly registered in the Books to be kept in the said Office for that purpose, in one of which Books shall be registered in the form and manner following.

No.
Date of Registry.
Name.
Father's Name.
Rank.
Time served at Sea.
When.
On what Vessels.
Commander's Names.
On what Voyages.
Attestations of Character.
Place of Birth.
Age.
Nearest Relation, resident in or about Calcutta.
Present Residence.
Description of his Person.
Cast.

Other books for Seamen generally.

The names of all such Seafaring Men serving in such Ships or Vessels belonging to or employed by the United Company of Merchants of England trading to the East Indies, and in like manner in other Books to be kept in the said Office for that purpose, the names of all such Seafaring Men of the denominations described in the aforesaid Table, serving on board the other Ships or Vessels belonging to or navigating to and from the Port of Calcutta; and the said Registrar shall, on registering of each name, give to the person whose name shall be registered, a Certificate of such Registry under his Hand and Seal of Office, and which said Certificate shall be an exact counterpart of the Entry made of such Registry in the Register Book of the said Office.

Certificate thereof to be given to each Seaman registered.

V.

V. And be it further ordained by the authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, no Master, Commander or Owner of any Ship or Vessel, or any other person on his own account, or for the service of the United Company of Merchants of England trading to the Indies, or their Agents, shall, at Calcutta or the Port of Calcutta retain or employ any Seafaring Men answering to the description, contained in the Table before set out, either by himself or through the means or agency of any Ghaut Serang or any other person whatsoever, or shall pay or cause to be paid to any such Seafaring Man hired at Calcutta, or contract to pay any Money or Impress Money, on account of or in part of Balance of Wages to any Seafaring Man hired at Calcutta, except through the means or agency of the said Registrar, unless such Registrar shall refuse to procure such Seafaring Men, or neglect so to do within such time as is hereinafter mentioned; and that if the said United Company of Merchants of England trading to the East Indies, the GOVERNOR GENERAL IN COUNCIL, or their Agents, or any Master, Commander or Owner of any Ship or Vessel, wanting to be supplied with Seafaring Men, for any Ship or Vessel, navigating from the Port of Calcutta, shall by themselves or their Agents, deliver to the Registrar a notice in writing, specifying the number of Men and their qualities, together with the name of the Ship or Vessel, the place where she lies and her proposed destination, and the time when the Seafaring Men shall be wanted, fifteen days before such Seafaring Men shall be required to be shipped, and at the same time, shall pay to the said Registrar, such Impress Money as is before allowed by this Ordinance; — the said Registrar shall, and is hereby required, within fifteen days after the Receipt of such Notice and Impress Money, to cause to be Shipped on board the Ship or Vessel in the Notice mentioned, Seafaring Men according to the number and description required by the said Notice; which said Seafaring Men shall immediately on their arrival on board such Ship or Vessel, attend to the business of the said Ship or Vessel; as well as to her Rigging and Loading as to other services on board the same, according to the several occupations for which they shall be retained; and on the return of the said Ship or Vessel to the River Hoogly and Port of Calcutta, shall remain and do their respective duties in the same, until the Ship or Vessel shall have been moored for the space of forty-eight hours at the place where her Cargo is to be delivered, unless they shall be relieved by Batta Lascars; and any Seafaring Man who shall quit or desert such Ship or Vessel before the expiration of the said forty-eight hours, unless sooner relieved by Batta Lascars, shall for every such offence forfeit to the Owner of such Ship or Vessel one Month's Pay, to be retained out of the Wages then due and owing to him.

No Master, &c. to employ Seamen or pay or contract to pay Impress, except thro' the Registrar, unless upon refusal or neglect of Registrar within the time after mentioned.

If the Company or their Agents, or any Master, &c deliver to the Registrar a notice in writing, specifying the number and description of men, name of Vessel, where she lies and destination, fifteen days before required, and pay the Impress,

Registrar shall within fifteen days comply therewith.

And Seamen shipped, shall forthwith do their duties.

And on return, remain on board, until the vessel shall have been moored forty-eight hours, unless relieved. Deserters before that period, to forfeit one month's pay to be retained out of wages due.

VI. And be it hereby further ordained by the Authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, if the said Registrar, after such Notice and Payment of Impress Money as aforesaid, shall refuse or neglect within the time limitted for procuring and Shipping Seafaring Men, to procure and ship the same according to the Notice which he shall have received, he

Registrar refusing or neglecting to ship Seamen, according to notice, to repay Impress with interest, at twelve per Cent.

And so in proportion for deficiency of number shipped.

he shall repay to the person from whom he hath received such Notice and Payment, or his Agents, the whole amount of such Impress Money or Wages which he shall have received, together with Interest thereon, at and after the rate of Twelve per Cent. per Annum ; and if the Number of Men provided and shipped, shall have been short of the Number required by the Notice and paid for, then he shall refund a part of the Impress Money and Wages in proportion to such deficiency, together with the like Interest thereon as last aforesaid.

Masters, Commanders, or Owners shall within one week after arrival deliver to the Registrar a List of his Crew, containing a description of their offices, ability and wages.

Deaths and desertions, with the repective dates.

And, except in case of desertion, pay to the Registrar, the balance of wages due.

To be paid to them on demand, or to the Heirs, Executors, &c. of men deceased.

VII. And for the better ascertaining under what denomination such Seafaring Men shall be ranked, and what Wages they shall be entitled unto,—be it further ordained by the Authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, the Master, Commander or Owner of every Ship or Vessel belonging to the Port of Calcutta, or on which any Seafaring Men shall have been shipped therefrom, shall within one week after he shall have arrived from any Voyage in the said Port, deliver or cause to be delivered to the said Registrar, a true List containing the Several Names of the Seafaring Men which he carried from the said Port, and opposite to their respective Names. a description of the Offices which they performed, and their ability, together with an account of the Wages for which they were retained ; and if any Seafaring Men shall have died or deserted during the Voyage for which he had been retained, shall mark opposite to the name of the person so dying or deserting respectively, the word "Dead" or "Deserted," as the case may be, together with the day when such person shall have died or deserted, and shall, except in case of desertion, pay to the Registrar the Balance due of their Wages ; out of which said Balance the said Registrar shall pay to the said Seafaring Men, if living, on demand, the sums respectively due to them ; and in case of any Seafaring Man to whom such Wages shall be due, having died before the Wages due to him shall have been paid him, then the Registrar shall pay the same to his Heirs, Executors, Administrators, Representatives, or Assigns.

Registrar to keep a separate account, countersigned by the party paying the same, of all monies received, due to deceased men and how applied.

To be open to inspection, and if required, verified on oath.

VIII. And be it further ordained by the Authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulations as aforesaid, the said Registrar shall keep a distinct and seperate Book, in which shall be entered and kept a clear and fair account, countersigned by the Party paying the same, of all Monies which he shall have received from any Master, Commander or Owner of any Ship or Vessel for and on account of Wages that were due to any deceased Seafaring Man, and how, and at what time, and to whom he paid the same, which said Book shall be open to the inspection of the Governor General in Council, and of all Owners or Commanders of Ships or Vessels · and the said accounts, if they be required by them or either of them, shall be verified by the Oath of the said Registrar.

Registrar may enter on board any ship in the day time, and muster and examine the Crew;

IX. And for the purpose of preventing any Seafaring Men being shipped on board of any Ship or Vessel belonging to this Port contrary to the true intent and meaning of this Rule, Ordinance and Regulation, it shall and

and may be lawful to and for the said Registar, by himself or his Agents, in a peaceable manner, and in the day time to enter on board of any Ship or Vessel, either when she shall be on the point of departure, or at such time as he shall think fit, and to muster and examine the several Seafaring Men employed thereon; or, if denied to enter in a peaceable manner, it shall and may be lawful for the said Registrar to enter any Ship or Vessel by force and virtue of an order issued by one of His Majesty's Justices of the Peace, acting in and for the said Town of Calcutta and Presidency of Fort William in Bengal, which Order the said Justice of the Peace is hereby authorized to make, on application made to him by the said Registrar.

and if denied may so enter under an order of a Justice of the Peace.

X. And be it further ordained by the Authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, no Master, Commander or Owner of any Ship or Vessel navigating from and to the Port of Calcutta, or any person whatsoever after a Voyage has been completed, and the Ship or Vessel has been at her Moorings in the said Port as aforesaid, for the space of Forty-eight hours, or after the arrival of Batta Lascars to relieve them as aforesaid, shall detain any Seafaring Man against his will, who has faithfully discharged the time for which he received his Impress Money; PROVIDED nevertheless, that if any Seafaring Man who shall have served the time for which he received his Impress Money, shall be desirous or willing to remain in the said Ship or Vessel in which he has so served, it shall and may be lawful for the Master, Commander and Owner of such Ship or Vessel to retain such Seafaring Man as a Batta Lascar upon Notice to the said Registrar, attested by the Captain and two Principal Officers of the Ship; Nethertheless the said Master or Owner so retaining such Seafaring Men, shall pay to the Registrar all such Impress Money and Wages as shall be or become due to such Seafaring Men, to be by him paid to such Seafaring Men in like manner, and as is provided in case of Seafaring Men procured and shipped by the said Registrar, it being the true intent and meaning of this Rule, Ordinance and Regulation, that no payment whatsoever be made to Seafaring Men belonging to the Port of Calcutta, but by the said Registrar only, except in the case when the Ship or Vessel in which such Seafaring Men shall be employed shall not return to this Port of Calcutta before the Expiration of the time for which such Seafaring Men shall have received their Impress Money; in which case, it shall and may be lawful for the Master or Commander of such Ship or Vessel to pay to them such sums of Money on account, as to the said Master or Commander may appear necessary, which payment shall be verified by an entry in the Log Book of the said Ship or Vessel, and attested by two Principal Officers of the said Ship or Vessel, and also by two Seamen of and belonging to the same.

No Master, &c. after voyage completed, and forty-eight hours after ship moored, shall detain any Seaman against his will who has faithfully discharged his time.

Proviso that if any Seaman be desirous to remain, he may be retained as a Batta Lascar,

Upon notice to the Registrar attested by the Captain and two principal Officers.

But Masters, &c. so retaining to pay to the Registrar all Impress and Wages due or to become due &c.

No payment to be made to Seamen except by the Registrar; except the vessel shall not return within the time for which Impress received.

When the Master may make payments on account, to be verified by entries in the Log Book, and attested by two principal Officers, and two Seamen.

XI. And be it further ordained by the Authority aforesaid, that from and after the due registry and publication of the Rule, Ordinance and Regulation as aforesaid, the Registrar shall at the time of paying and discharging the Crews that have been furnished from the Marine Registry Office, after the return to Port of every Ship or Vessel from her Voyage make

Registrar on discharging Crews to make diligent enquiry how Commanding Officers and Crew have conducted themselves and make a

Full Entry thereof, and if any of the Crew have misconducted themselves, so as to cause injury to the ship or cargo, &c. or render same liable thereto. Registrar to retain not exceeding one month's wages.

make due and diligent enquiry how and in what manner the Commander, Officers and Crew of the same have respectively behaved and conducted themselves during the Voyage which has been performed, and make a full and regular Entry of the same in a Book to be kept for that purpose in the Marine Registry Office; and should it appear to the Registrar, that the said Crew, or any of them, have conducted themselves during the said Voyage in an unbecoming and improper manner, so as to cause to the Ship or Vessel on which they were employed, or the Cargo, or Apparel, or Furniture of the same damage or injury, or to render the said Ship, her Cargo, Apparel, or Furniture liable to injury, although no injury shall have been actually sustained, the said Registrar is authorized to stop and retain out of the Wages that may be due to such Seamen respectively, not exceeding one Month's Wages.

Registrar discovering that the Commander or any Mate or Officer has conducted himself with inhumanity or undue severity to Seamen, to report same to some Justice of the Peace, or in any very flagrant case, to the Governor General in Council.

XII. And be it further ordained by the Authority aforesaid, that if the said Registrar shall at any time from or after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, discover that the Commander or any of the Mates or other Officers of the Ships belonging to this Port, have conducted themselves with inhumanity or undue severity towards any of the persons under their command, the said Registrar shall report the same to some Justice of the Peace, and in any very flagrant or atrocious case, report the same to the said GOVERNOR GENERAL IN COUNCIL.

Two Justices may bind out Boys descended from European Fathers, or European Fathers and Mothers supported by any Orphan or Charitable School, to be Apprentices to the Sea service, to any owner of any Vessel belonging to the Port for five years.

XIII. And be it further ordained by the Authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, it shall and may be lawful for any two Justices acting in and for the Town of Calcutta and Settlement of Fort William in Bengal, to bind out any Boys descended from European Fathers and Mothers, who shall be chargeable to, and supported by any of the Orphan or Charitable Schools in Calcutta or whose Parents shall be indebted to Charity for their own support, and unable to support their said Children, to be Apprentices to the Sea service, to any of the Owner or Owners of any Ship or Vessel belonging to the Port of Calcutta, for the term of five years; and that the Owner or Owners of every such Ship or Vessel, shall from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, provide himself with Apprentices to serve on board his Ship or Vessel; or if he shall not be so able to provide himself, shall apply to the Registrar of the said Marine Registry Office for the time being, and accept of such Apprentices as may be offered to him by the said Registrar, to the number of one Apprentice for every Hundred Tons of the Registered Tonnage of the said Ship or Vessel, and shall not send his said Ship or Vessel to Sea on any Voyage from the Port of Calcutta, without having such and so many Apprentices on board as the said Ship or Vessel may measure as aforesaid, if the same can be procured upon application to the said Registrar, such application to be made at least one month before the sailing of the said Ship, upon pain of forfeiting Sicca Rupees One Hundred for each and every deficiency of one on board the Ship or Vessel at the time of her unmooring from the Port of Calcutta or River Hoogly.

And all Owners to provide themselves with Apprentices, or if not able so to do, to apply to the Registrar and accept of Apprentices offered to the number of one Apprentice for each hundred Tons.

And shall not send his ship to sea without such number if procurable. Applications to be made

Under a penalty, of one hundred Sa. Rs. for each deficiency.

XIV.

XIV. And be it further ordained by the Authority aforesaid that from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, every Owner taking and having such Apprentices, shall place them under the exclusive authority of the Commander for the time being of such Ship or Vessel as they may serve on, and that the said Commanders shall instruct them respectively in the art and business of good Seamanship; and that the said Owner or Owners shall, and shall be bound to provide the said Apprentices, whilst at Sea, with Clothing and Food in sufficient quantities, and similar to such Clothing and Food as they supply to the Ordinary Seamen on board the said Ships or Vessels, and that they shall also provide the said Apprentices, while on shore, with good and sufficient Food, Clothing and Lodging;—and that it shall be lawful for any two of the said Justices of the Peace to hear and by their order in writing, redress any Complaints which may be made by the Owners and Apprentices against each other, and upon hearing the parties, to dissolve and anual the said Apprenticeship, if it shall appear to them that there is just cause for so doing.

Owners to place Apprentices under the exclusive authority of the Commander, who shall duly instruct them.

Owners bound to provide Apprentices with Clothing and Food at sea, and Food, Clothing and Lodging on shore.

Two Justices may hear and redress Complaints between Owners and Apprentices, and dissolve Apprenticeship upon just cause.

XV. And be it further ordained by the Authority aforesaid that if from and after the due registry and publication of this Rule Ordinance and Regulation as aforesaid, any Mate of or belonging to any Ship or Vessel belonging to the Port of Calcutta, shall, after the commencement of the loading or unloading thereof and before the same shall have been respectively completed, leave his Ship or Vessel without the permission of the Captain or Master of the said Ship or Vessel, he shall forfeit the sum of Sicca Rupees Five for every hour that he shall so continue absent from the said Ship or Vessel.

Mates leaving their ships without permission after commencement to load or unload, to forfeit five Sa. Rs. per hour, during absence.

XVI. And be it further ordained by the Authority aforesaid, that from and after the due publication of this Rule, Ordinance and Regulation as aforesaid, the Registrar of the said Office for the time being, shall, together with a surety, enter into a joint and several Bond to the said United Company, conditioned for the due and faithful performance of the duties of the said Office, and for the due disbursement and application of all Sums of Money that may come to his hands, as such Registrar thereof.

Registrar to enter into Bond with a Surety for performance of duties and application of Funds.

XVII. And be it further ordained by the Authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, if any Seamen of, or belonging to any Ship or Vessel belonging to the Port of Calcutta, shall, by writing attested by two of the Officers of the said Ship or Vessel in the said Registry Office, and in which writing the purpose shall be stated, authorize the said Registrar for the time being to receive from the Owner or Owners of the said Ship or Vessel, any portion of his Wages not exceeding one-third thereof by the Month for the time for which he shall not have already received Wages, for the purpose of paying the same to such person or persons as he shall or may in such writing appoint, the said Owner or Owners shall, upon request of the said Registrar, pay the same to him, to be applied as aforesaid, without requiring any proof from the said Registrar, that the said Seaman is alive or has not deserted from or left the Ship or Vessel.

If any Seamen shall by writing, attested by two of his Officers in the Registry Office, authorize the Registrar to receive any portion of his wages not exceeding one third, for the use of any person to be therein named;

Owners upon request to pay the same to the Registrar, without proof, &c.

XVIII.

No person to act as Batta Lascar without being registered and obtaining Certificate.

XVIII. And be it further ordained by the Authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, no person shall be employed as or act as a Batta Lascar, without having caused himself to be registered in the said Registry Office, and taken out a Certificate thereof, which Registry shall be made and Certificate granted, free of expence; and that no Batta Lascars shall from and after the due registry and publication of this Rule Ordinance and Regulation as aforesaid, take or accept of greater Wages than the rate of Seven Sicca Rupees per Month, upon pain of forfeiting double the sum he shall have received, beyond the said rate of Seven Sicca Rupees per Month.

No Batta Lascar to accept more than Seven Sa. Rs. per month under the penalty of double the sum received beyond the said rate.

Lascars and other Seamen having been duly registered and not withdrawn, refusing to act as such unless greater wages than before mentioned are given, or agreed to be given,

XIX. And be it further ordained by the Authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, if any Lascar or other Seaman of, or belonging to the Port of Calcutta, and who shall have registered his Name in, and not withdrawn from the said Office, shall refuse to act or to be employed as such Seaman or Lascar on board of any Ship or Vessel, unless greater Wages shall be given, or be agreed to be given to him than are hereinbefore mentioned, or unless he shall receive Impress without entering into such Contract as aforesaid:—It shall and may be lawful for any two Justices of the Peace acting in and for the Town of Calcutta and Settlement of Fort William aforesaid, upon Complaint made to them thereof against any such Seamen or Lascars, by the said Registrar, or Owner or Owners, Commanders or Officers, to take cognizance of such Complaint, to issue their warrant or warrants, for bringing the party or parties complained of before them, to hear the said parties, to examine Witnesses, and having taken in writing the substance of the Complaint, Defence and Evidence, to acquit or convict the person or persons so accused, and in case of conviction to adjudge the party so convicted to imprisonment in the common gaol of Calcutta for a time not exceeding two Months, or to the House of Correction of the said Town of Calcutta in the Settlement of Fort William aforesaid, there to be kept to hard labour for a time not exceeding Two Months.

Two Justices may, upon complaint, take cognizance thereof.

From of proceeding.

Upon conviction to imprison offenders in the common gaol for not exceeding two months, or in the House of Correction to hard labour for like period.

Owners to pay for defraying the expences of the office, &c. two Sa. Rs. for each Seaman furnished.

XX. And be it further ordained by the Authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, the Owner and Owners of every Ship or Vessel obtaining Seafaring Men through the aforesaid Registry Office as aforesaid, shall at and with the payment of the Impress Money, or advanced Wages for Seafaring Men procured or to be procured through the said Registry Office as aforesaid, upon every Voyage which the said Ship or Vessel shall make from the Port of Calcutta or River Hoogly, pay for defraying the expences of procuring such Seafaring Men, and of the aforesaid Office, the Sum of Two Sicca Rupees for each and every Seafaring Men, to be furnished and obtained by and through the said Registry Office as aforesaid.

XXI. And be it further ordained by the Authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance

and Regulation as aforesaid, if any Ghaut Serang or other person shall from any sinister motive, or with intent to defeat the execution of this Ordinance, persuade or endeavour to persuade, or prevent any Seaman or Lascar as aforesaid from registering his name in the said Marine Registry Office, or from acting as a Seaman or Lascar so registered,—it shall and may be lawful for any two Justices of the Peace acting in and for the Town of Calcutta and Settlement of Fort William in Bengal as aforesaid, upon Complaint made to them thereof against such Ghaut Serang or other person by the said Registrar of the Marine Registry Office aforesaid, or by any Owner, or Owners, or Commander or Officer, to take Cognizance of such Complaint, to issue their Warrant for bringing the party or parties complained of before them, to hear the said parties, to examine Witnesses, and having taken in writing the substance of the Complaint, Defence and Evidence, to acquit or convict the person or persons so accused, and in case of conviction, to adjudge the party so convicted, to pay a fine not exceeding Five hundred Sicca Rupees,—and in default of the payment of the said fine, within the space of twenty-four hours, to imprisonment in the common gaol of Calcutta, for a time not exceeding Two Months, unless the said fine shall be sooner paid, or to the House of Correction of the said Town of Calcutta and Settlement of Fort William aforesaid, there to be kept to hard labour for a time not exceeding two months, unless the said fine be sooner paid.

If any Ghaut Serang or other person shall from any sinister motive, or with intent to defeat the execution of this Ordinance, persuade or endeavour to prevent any Seaman, &c. from registering his Name in the said Office, or from acting as a Seaman, &c. so registered, Two Justices may take cognizance thereof.

From of proceeding.

Upon conviction to inflict a fine not exceeding Five Hundred Sa. Rs. In default of payment within 24 hours, to commit the party to the common gaol for not exceeding 2 months unless fine paid, or to the House of Correction to hard labour for like period, unless &c.

XXII. And be it further ordained by the Authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, it shall not be lawful for the Master or Commander of any Foreign Ship or Vessel at the Port of Calcutta, to take, hire or receive on board of the said Ship or Vessel any other Seamen than such as shall have arrived in and on board of the said Ship or Vessel in the Port of Calcutta, unless through the Registrar of the aforesaid Marine Registry Office for the time being; and that every Master and Commander, with the Supracargo, or some other Officer of every Foreign Ship or Vessel, shall execute a Bond to the United Company of Merchants of England trading to the East Indies, in the Penal Sum of Five Hundred Sa. Rs. for each and every Asiatic Seaman he shall receive through the said Registrar, conditioned to return the said Seaman to the Port of Calcutta, and produce him to, or cause him to be produced to the Registrar for the time being; on the said Ship returning to the Port of Calcutta, or within the space of two years, if the said Ship shall not sooner return, to produce a Certificate of an English Consul, or if there be no English Consul, of two respectable Merchants, that the said Seaman has died; and that no Pilot shall be granted to the said Ship so long as she shall have on board of her any Seaman that has or did not arrive in her, and which shall not have been received through the Registrar of the said Marine Registry Office.

No Master, &c. of Foreign Vessel to take on board any Seaman, but such as shall have arrived on board his ship, unless through the Registrar; and every Master of such Ship, with the Supracargo or other officer, to execute a Bond to the Company in the penal Sum of Five Hundred Sa. Rs. for each Asiatic Seaman received, conditioned to return the Seaman.

And produce him to the Registrar on Ship's return, or within the space of two years, to produce a Certificate of the English Consul or two respectable Merchants of Seaman's death.

And no Pilot to be granted if any Seaman on board not received through the Registrar.

XXIII. And be it further ordained by the Authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, whenever any Sum ordained as aforesaid, in and by this Rule, Ordinance and Regulation, to be paid as forfeitures, or otherwise, shall not exceed the Sum of Two Hundred and Fifty Sa. Rs. the

Penalties how to be recovered.

Not exceeding 2 hundred & 50 Sa. Rs. in the Court of Requests.

the same shall and may, if necessary, be sued for and recovered by the said Registrar for the time being, in his own name, in the Court of Requests for the Recovery of Small Debts, in and for the Settlement of Fort William, named and called the Court of Commissioners for the Recovery of small Debts; and that whenever the Sums ordained as aforesaid, in and by this Rule, Ordinance and Regulation, to be paid as forfeitures, or otherwise, shall exceed the Sum of Two Hundred and Fifty Sa. Rs. the same shall and may be sued for by the said Registrar in his own name, heard, determined and recovered by action of Debt or Plaint in the Supreme Court of Judicature at Fort William in Bengal: and that the same, when recovered by the said Registrar for the time being, be applied for and towards the use, and to and for the maintenance of the said Office, called the Marine Registry Office.

Exceeding 2 hundred & 50 Sa. Rs. in the Supreme Court.

Proviso that if Owners cannot procure Seafaring men within the time aforesaid from the Registrar, they may procure them in any other manner, but shall not give them any greater impress or wages than as aforesaid, under the Penalty aforesaid.

Provided always and be it further ordained by the authority aforesaid, that if from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, any Owner or Owners of any Ship or Vessel, shall not be able to procure Seafaring Men at and within the time aforesaid from or through the said Registrar and Registry Office, he and they shall and may obtain them in any other manner, but shall not give them any greater Impress or advance of Wages than as aforesaid, and under the conditions and agreement on the part of such Seafaring Men to serve the unexpired time in manner aforesaid, under the Penalty affixed to the breach thereof by the said Owner or Owners as aforesaid.

A RULE ORDINANCE & REGULATION for the good Order and Civil Government of the Settlement of Fort William in Bengal.

PASSED IN COUNCIL 19th October.—REGISTERED IN THE SUPREME COURT OF JUDICATURE, 12th November, 1816.

WHEREAS great Losses have been and are daily sustained by the Manufacturing Tradesmen, Master Artificers, Mechanics, and others within the Town of Calcutta and Settlement of Fort William, from the Frauds and Impositions of the Journeymen Working Artificers or other Workmen, Handicraftsmen and Labourers, employed by or under them, in their respective Trades and Occupations;—AND WHEREAS it is deemed just, reasonable and expedient, to provide some remedy for the said Grievances.

Preamble. Recites great losses to be sustained by Tradesmen and others from the Frauds of Workmen employed by them.

I. Be it therefore ordained by the Right Honorable the Governor General in Council of and for the Presidency of Fort William in Bengal, under and by virtue of the powers in him vested by a certain Act of Pariament passed in the thirteenth year of the Reign of His Majesty King George the Third, entitled "an Act for establishing certain Regulations "for the better management of the Affairs of the East India Company, "as well in India as in Europe;" and by a certain other Act of Parliament, passed in the fortieth year of the Reign of His said Majesty, entitled "an Act for establishing further Regulations for the Government of "the British Territories in India and the better Administration of Justice "within the same;" that from and after the due registry and publication of this Rule, Ordinance and Regulation, in the Supreme Court of Judicature at Fort William in Bengal, with the Consent and Approbation of the said Supreme Court, if the said Court shall in its discretion approve of and consent to the registry and publication of the same;—If any Journeyman Working Artificer, or other Workman, Handicraftsman, or Labourer, shall have contracted or agreed with any person or persons to attend and commence any work, at any particular or given time or place, within the said Town of Calcutta and Settlement of Fort William, and shall not attend and commence such work, at the place and at the time at which he shall have so contracted or agreed to attend and commence the same, or shall absent himself from his work, or shall neglect or refuse to work during the hours, or at the times, or any of them, when or during which he shall have contracted or agreed with any person or persons to work within the said Town of Calcutta and Settlement of Fort William aforesaid, or otherwise according to the usual hours of work and labour of such Journeymen Working Artificers, or other Workmen, Handicraftsmen, or Labourers, in their respective Trades and Occupations, unless for cause to be allowed by two

Recital of Act. 13 Geo. 3.

And Act. 40 Geo. 3.

If any Journeyman Working Artificer &c. having contracted with any person to commence any work at any given time or place within the settlement, and shall not attend accordingly, or shall be absent, or neglect or refuse to work, during the hours agreed upon, or the usual hours of work,

Unless for due cause shewn to two Justices.

Such two Justices may take cognizance thereof

Form of proceeding.

two Justices of the Peace, acting in and for the said Town of Calcutta and Settlement of Fort William, it shall and may be lawful for such two Justices of the Peace acting as aforesaid, upon complaint to them made by the party or parties aggrieved, to take cognizance of such Complaint, to issue their Summons or Warrant for bringing before them the party or parties complained against, to hear the parties, examine Witnesses and having taken in writing the substance of the Complaint, Defence and Evidence to acquit or convict the person or persons so accused.

If any Journeyman Working Artificer, &c. or other persons, shall within the settlement, combine to obtain an advance of or raise the rate of Wages, or lesson or alter the hours working, or to decrease the quantity of work, or by giving money or otherwise wilfully prevent or endeavour to prevent any unhired or unemployed Journeyman Working Artificer &c. from hiring himself, or wilfully persuade or endeavour to persuade &c. any hired Journeyman Working Artificer, &c. to quit his service, except for due cause shewn to two Justices,

II. And be it further ordained by the Authority aforesaid, that if, after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, any Journeyman Working Artificer, or other Workman, Handicraftsman, Labourer, or other persons, shall within the Town of Calcutta and Settlement of Fort William aforesaid, enter into any Combination to obtain an advance of, or to raise the rate of Wages, or to lessen or alter the hours of duration of the time of Working. or to decrease the quantity of Work. or shall by giving Money, or by persuasion, or intimidation or any other means, wilfully and designedly prevent, or endeavour to prevent, any un-hired or un-employed Journeyman Working Artificer or other Workman, Handicraftsman or Labourer, from hiring himself to or serving any person or persons requiring the Service of such un-hired or un-employed Journeyman Working Artificer, or other Workman, Handicraftsman, or Labourer, or shall wilfully or designedly decoy, persuade, solicit, intimidate influence or prevail upon, or endeavour to decoy intimidate, influence or prevail upon any Journeyman Working Artificer or other Workman Handicraftsman or Labourer hired or employed by or serving any person or persons to quit or leave such Service or Employment except for cause to be allowed by two Justices of the Peace acting in and for the said Town of Calcutta and Settlement of Fort William it shall and may be lawful for any two Justices of the Peace acting in and for the said Town of Calcutta and Settlement of Fort William, upon complaint to them thereof made, to take cognizance of such Complaint, to issue their Summons or Warrant for bringing before them the party or parties complained against, to hear the parties, examine Witnesses, and having taken in writing the substance of the Complaint, Defence, and Evidence, to acquit or convict the person or persons so accused.

Two Justices may take cognizance thereof.

Form of proceeding.

If any Journeyman Working Artificer, &c. employed under a Master in the same business, shall fraudulently purloin, &c. any materials delivered to him to work before or after worked up;

III. And be it further ordained by the Authority aforesaid, that if, after the due registry and publication of this Rule, Ordinance, and Regulation, as aforesaid, any such Journeyman Working Artificer, or other Workman, Handicraftsman, or Labourer, employed by and under any Master in the same business, in the Town of Calcutta and Settlement of Fort William in Bengal, shall fraudulently purloin, embezzle, secrete, sell, pawn or exchange, all or any part of any Materials, which shall have been delivered to him to fashion or work, either before or after such Materials shall have been worked up or fashioned, or any Article or Articles, which shall have been delivered to him as such Journeyman Working Artificer, or, other Workman Handicraftsman, or Labourer, by any person or persons, to clean, alter, or repair, or shall fraudently with-hold or

Or any article delivered to him by any person to clean, alter or repair,

or detain any such Materials or Articles, which shall have been so delivered to him to fashion, work up, clean, alter, or repair as aforesaid or shall fraudulently purloin, embezzle, secrete, sell, pawn, or exchange, any working Tools or Implements, belonging to his Master, and used by him in such his Business and Occupation, it shall and may be lawful for any two Justices of the Peace acting in and for the said Town of Calcutta and Settlement of Fort William, upon complaint to them made by the party or parties aggrieved, to take cognizance of such Complaint, to issue their Summons or Warrant for bringing before them the party or parties complained against, to hear the parties, examine Witnesses, and having taken in writing the substance of the Complaint, Defence and Evidence, to acquit or convict the person or persons so accused.

Or withhold the same.

Or shall fraudulently purloin, &c. any Working Tools, belonging to his Master.

Two Justices may take cognizance thereof.

Form of proceeding.

IV. And be it further ordained by the Authority aforesaid, that upon conviction of any person or persons, under or by virtue of this Rule, Ordinance and Regulation, or any of the provisions thereof, before two Justices of the Peace, acting in and for the said Town of Calcutta and Settlement of Fort William, it shall and may be lawful for such two Justices of the Peace, to inflict upon such person or persons so convicted a suitable Punishment, by Fine not exceeding One Hundred Sicca Rupees, on each and every person or persons so convicted, and by Warrant under their Hands and Seals, to commit such person or persons so convicted, to the Common Gaol, or House of Correction of the Town of Calcutta, there to be kept to hard Labour, for a period not exceeding Sixty days, unless such Fine or Fines be sooner paid; or in the discretion of the said Justices, if the case shall appear to them to require it, to commit such person or persons so convicted in the first instance, and without imposing any Fine, by such their Warrant as aforesaid, to the House of Correction, there to be kept to hard labour for not exceeding Sixty days; and it shall and may be lawful for the said two Justices of the Peace, to award the whole, or any portion of such Fine or Fines as aforesaid, to the party or parties aggrieved, and willing to receive the same, in satisfaction of the loss and injury by him or her sustained, by the conduct of the party or parties convicted, and that all such Fines shall be paid in the first instance to the said two Justices of the Peace, by the party or parties so convicted, and the amount thereof, after making such satisfaction to the party or parties aggrieved as aforesaid, if any, shall be transmitted by such two Justices of the Peace to the Clerk of the Crown, for the use of His Majesty.

Upon all convictions under this rule.

Two Justices may inflict a fine of 100 Sa. Rs. on each offender, and commit offenders to Goal, or House of Correction, to hard labour for not exceeding 60 days, unless Fine paid; or if the case require it, may commit offenders to the House of Correction to hard labour for not exceeding 60 days.

All Fines to be paid to convicting Justices who may award the whole or any part to the party aggrieved.

Surplus, if any, to go to the Crown.

A RULE ORDINANCE & REGULATION for the good Order and Civil Government of the Settlement of Fort William in Bengal.

PASSED IN COUNCIL 2d November.—REGISTERED IN THE SUPREME COURT OF JUDICATURE, 26th November, 1816.

Preamble.

WHEREAS considerable difficulty and inconvenience to the Shipping in the Port of Calcutta, the River Hooghly, and the New Anchorage at Saugor, has been found to result from the procuring and hiring of Batta Syrangs, Tindals, Bandaries, Lascars, and other Batta Men not being confined to the Marine Registry Office, established under and by virtue of a Rule, Ordinance and Regulation, intituled "A Rule, Ordinance and Regulation for the good Order and Civil Government of "the Settlement of Fort William in Bengal, and for ascertaining and "fixing the Wages to be paid to the Seafaring Men belonging to the "Port of Calcutta, and for securing the same to the said Men; as also for "the better providing the Ships and Vessels navigating to and from the "said Port with Seafaring Men, made and passed by the RIGHT HONORABLE FRANCIS EARL OF MOIRA, KNIGHT OF THE MOST NOBLE ORDER OF THE "GARTER, GOVERNOR GENERAL of and for the Presidency of Fort William "in Bengal, in Council, the twenty-First Day of June, in the Year of "Our Lord One Thousand Eight Hundred and Sixteen, and Registered in "the Supreme Court of Judicature at Fort William in Bengal, the twenty-"Fourth Day of July in the same year;" and it is deemed just, reasonable and expedient, to provide in the following cases for the good Order and Civil Government of the Settlement of Fort William.

Recites difficulties by reason of the hiring of Batta Syrangs, &c. not being confined to the Marine Registry Office.

Recital of the rule of the 16th of July, 1816.

I. Be it therefore ordained by the Right Honorable FRANCIS EARL OF MOIRA, Knight of the Most Noble Order of the Garter, Governor General of and for the Presidency and Settlement of Fort William in Bengal in Council, by and in virtue of the Authority and powers in him vested by a certain Act of Parliament, made and passed in the thirteenth year of the Reign of His Majesty King George the Third, intituled "an Act for "establishing certain Regulations for the management of the Affairs of "the East India Company, as well in India as in Europe;" and by a certain other Act of Parliament, passed in the fortieth year of the Reign of His said Majesty King George the Third, intituled "an Act for es-"tablishing further Regulations for the Government of the British Terri-"tories in India, and the better Administration of Justice within the "same;"—that from and after the due registry and publication of this Rule, Ordinance and Regulation in the Supreme Court of Judicature at Fort William in Bengal, with the consent and approbation of the said Supreme Court, if the said Court shall in its discretion approve of and consent to the

Recital of Act 13 Geo. 3.

And 40 Geo. 3.

All Batta Syrangs, &c. to be provided for ships

the registry and publication of the same, all and every the Batta Syrangs, Tindals, Bandarries, Lascars, and other Batta Men, to be provided, supplied or furnished to, or for the use of Ships or Vessels belonging to, or being in, or arriving at the River Hoogly and Port of Calcutta, or the New Anchorage at Saugor, shall be registered in, and only be provided, supplied and furnished, and paid by and through the said Marine Registry Office, and that, unless the parties shall agree in writing to be registered in the said Office, and attested by one or more of the Officers or persons attached to the said Office, for a different rate of Wages to be paid, the following and no other rate of Wages shall be allowed or taken, that is to say—

shall be registered in only provided and paid by the Marine Registry Office, and unless they agree in writing for a different rate of wages,

The following and no other rate of wages to be allowed.

	Sa. Rs.	
Syrangs,	15	per Mensem.
First Tindal,	12	——
Second Tindal,	10	——
Lascars,	7	——
Bandaries,	7	——
Havildar,	12	——
Sepoys,	8	——

Provided always, that it shall and may be lawful for Ship Builders and others, who shall be employed in the repairs of any Ship or Vessel, to employ persons of the said description in and on board any Ship or Vessel, which shall be under their hands, during such time as the said Ship Builder or other person is repairing the said Ship or Vessel, and until he shall have delivered over the possession thereof.

Proviso that ship Builders, &c. may employ such Batta Syrangs, &c. on board ships during repairs.

II. And be it further ordained by the Authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation, if any Gunner, Carpenter, Boatswain, or other inferior Officer or Seafaring Man or Lascar, shall enter into any combination to exact a greater impress or advance of Wages, than is allowed in and by the Rule, Ordinance and Regulation in the next preceding Section of this Ordinance mentioned, unless by contract in writing between the several contracting parties registered as before provided for, it shall and may be lawful for any two Justices of the Peace, acting in and for the Town of Calcutta and Settlement of Fort William in Bengal, upon complaint to them made, to take cognizance of such Complaint, to issue their Summons or Warrants for bringing before them the party or parties complained against, to hear the parties, examine Witnesses, and having taken in writing the substance of the Complaint, Defence and Evidence, to acquit or convict the person or persons so accused.

If any Gunner, &c. shall combine to exact greater impress or advance of wages than allowed, unless by contract in writing as aforesaid,

Two Justices may take cognizance thereof.

Form of proceeding.

III. And be it further ordained by the Authority aforesaid, that if, at any time after fifteen days from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, any person or persons other than the Registrar of the Marine Registry Office, or the person or persons employed by him in the said Office, shall provide, supply, or furnish any Batta Syrangs, Tindals, Bandarries, Lascars, or other Batta Men to any Ship or Vessel, belonging to, or being in, or arriving at the River

If any person except Registrar or his Agent shall provide any Batta Syrang, &c. to any ship

Hooghly

Two Justices may take cognizance thereof.

Form of proceeding.

Hooghly and Port of Calcutta, or the New Anchorage at Saugor, it shall and may be lawful for any two Justices of the Peace, acting in and for the Town of Calcutta and Settlement of Fort William in Bengal, upon Complaint to them made, to take cognizance of such Complaint, to issue their Summons or Warrants for bringing before them the party or parties complained against, to hear the parties, examine the Witnesses, and having taken in writing the substance of the Complaint, Defence and Evidence, to acquit or convict the person or persons so accused.

If any hired Seaman &c. under the rank of a Mate, shall desert or leave his ship, without leave during the time of his service, or having contracted to serve on board such ship, shall wilfully suffer the same to sail without him, or refuse or wilfully avoid to ship himself,

Two Justices may take cognizance thereof.

Form of proceeding.

IV. And be it further ordained by the authority aforesaid, that if, from and after the due registry and publication of this Rule Ordinance and Regulation as aforesaid, any hired Seaman, Mariner or other person employed and hired to serve on board of any Ship in the Port of Calcutta, the River Hooghly, or the New Anchorage at Saugor, and under the Rank of a Mate, shall desert or leave any Ship or Vessel without leave or license from the Captain or other person authorized to grant the same, during any part of the time for which he shall have agreed to go and to serve on board such Ship or Vessel, or having contracted to go and serve on board such Ship or Vessel, or having received Impress for that purpose, shall wilfully and premeditatedly suffer such Ship or Vessel to sail without him, or shall refuse, or wilfully avoid to ship himself on board the same according to his agreement or contract,—it shall and may be lawful for any two Justices of the Peace, acting in and for the Town of Calcutta and Settlement of Fort William in Bengal, upon Complaint to them made, to take cognizance of such Complaint, to issue their Summons or Warrant for bringing before them the party or parties complained against, to hear the parties, examine Witnesses, and having taken in writing the substance of the Complaint, Defence and Evidence, to acquit or convict the person or persons so accused.

If any such Seaman shall be absent without leave, or be found drunk, or committing disturbances in the settlement,

Any Police Officer may take and detain him in some place of security until he can carry him before two Justices, in the day time, to be dealt with according to this Rule.

V. And be it further ordained by the Authority aforesaid, that if, at any time from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, any Seaman under the Rank of a mate of, or belonging to any Ship or Vessel in the Port of Calcutta, or River Hooghly, or the New Anchorage at Saugor, shall be absent from his Ship or Vessel without leave, or be found drunk in the Streets, or committing a Disturbance within the Town of Calcutta and Settlement of Fort William in Bengal, it shall and may be lawful for any Police Officer, serving under the Justices of the Peace, acting in and for the said Town of Calcutta and Settlement of Fort William in Bengal, to take and detain such Seaman in some place of Security until he can carry him before any two of the said Justices acting in and for the said Town of Calcutta and Settlement of Fort William, at a convenient hour in the day time in order that such Seaman may be dealt with by such Justices according to the provision of this Rule, Ordinance and Regulation, or otherwise according to law.

Recital of the XVII. Clause of the above recited Rule, whereby the Registrar is authorized to demand from the Owners of Ships, by

VI. And whereas by the XVII. Clause of the Rule, Ordinance and Regulation, in the Preamble of this Ordinance mentioned, the Registrar of the Marine Registry Office thereby established, is authorized to demand from the Owners of Ships and Vessels to whom Seafaring Men have been supplied and furnished from the said Marine Registry Office, on a writing attested

attested by two of the Officers of the Ship or Vessel on which such Seafaring Men may serve, any portion of their Wages not exceeding One Third thereof by the Month for the time for which they shall not have received wages, for the purpose of paying the same to such person or persons as the said Seafaring Men may appoint: And Whereas in some cases it is difficult and in others impossible, to obtain the attestations of two of the Officers of the Ship or Vessel to the said Writing in the manner, and as thereby Ordained, It is hereby Ordained by the Authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, the attestation to such writing of the Commander or of the Chief Officer in Calcutta, of any Ship or Vessel obtaining Seafaring Men from the Marine Registry Office as herein before mentioned, shall be deemed sufficient to enable the Registrar to demand and receive the portion of Wages for the purpose herein-before specified.

a writing attested by two of the Officers, not exceeding one third part of any Seaman's wages for the purpose of paying the same to his assignees, and that it is difficult in some cases to obtain uch attestation,

The attestation of the Commander or Chief Officer shall be deemed sufficient for this purpose.

VII. And be it further ordained by the Authority aforesaid, that upon any conviction of any person or persons, under or by virtue of this Rule, Ordinance and Regulation, or any of the provisions thereof, before two Justices of the Peace, acting in and for the said Town of Calcutta and Settlement of Fort William, it shall and may be lawful for such two Justices of the Peace to inflict upon each and every person convicted of either of the offences in the preceding Second and Third Sections of this Ordinance mentioned, a suitable Punishment by Fine not exceeding Two Hundred Sicca Rupees on each and every person so convicted, and upon each and every person convicted of either of the offences in the preceding Fourth Section of this Ordinance mentioned, a suitable Punishment by Fine not exceeding in amount Three Months Wages, and any Impress he may have received on account of the Ship he shall have agreed to serve on board, or been on board of, and by Warrant under their Hands and Seals to commit such person or persons so convicted, to the Common Gaol, or House of Correction of the Town of Calcutta, there to be kept to hard labour, for a period not exceeding two Calender Months, unless such Fine or Fines be sooner paid; and it shall and may be lawful for the said two Justices of the Peace, to award the whole or any portion of such Fine or Fines as aforesaid, to the party or parties aggrieved, by way of satisfaction for any Loss or Injury which he or they may have been put to, or sustained, by the conduct of the party or parties convicted, and that all such Fines shall be paid in the first instance to the said two Justices of the Peace by the party or parties so convicted, and the amount thereof, after making such Satisfaction to the Party or parties aggrieved as aforesaid, if any, shall be transmitted by such two Justices of the Peace to the Clerk of the Crown, for the use of His Majesty.

Upon all convictions under this rule,

Two Justices may inflict upon offenders under the Second and Third Sections of this Rule a fine not exceeding Two Hundred Sicca Rupees.

And upon offenders under the fourth Section not exceeding three months' Wages and Impress Money, and convict offenders to the Gaol or House of Correction to hard labour for not exceeding two months, unless fine be sooner paid and award the whole or any part of the Fine to the parties aggrieved.

If surplus, to go to the Crown.

A RULE ORDINANCE & REGULATION for the good Order and Civil Government of the Settlement of Fort William in Bengal.

PASSED IN COUNCIL 28th March.—REGISTERED IN THE SUPREME COURT OF JUDICATURE, 21st April, 1817.

Preamble.

Recites that the stealing of Lead, Iron, Copper, &c. fixed to or being in or upon Houses Out-houses, Godowns &c.

And also from Ships &c upon the river Hooghly

And from Wharfs, &c. in the settlement.

Is become a great and notorious evil, by reason of the difficulty of apprehending and convicting the Thieves and discovering the Buyers or Receivers.

Recites the necessity of treating Buyers and Receivers thereof as Principals.

WHEREAS the pernicious practice of stealing Lead, Iron, Copper, Brass, Cansah, Tutenague, Tin, Pewter, Bell-metal and, other mixed Metal, fixed to, or lying or being in or upon Houses Out-houses, Godowns, Warehouses, Shops, Workshops, Manufactories, and other Buildings, Areas, Vaults, Yards, Compounds, Gardens, Arsenals, Streets, Ways, Bazars, or other places within the Town of Calcutta and Settlement of Fort William in Bengal, and also the stealing of such Materials and Articles from Ships, Barges, Lighters, Boats and other Vessels and Craft upon the River Hooghly, and within the Port of Calcutta, and also from Wharfs, Docks, Keys, Ghauts and other places within the said Town of Calcutta and Settlement of Fort William in Bengal, is become a great and notorious evil, by reason of the difficulty in apprehending and convicting the Thieves, and the still greater difficulty of discovering and convicting the Buyers or Receivers thereof; which Buyers or Receivers are often the principal cause of the commission of such Thefts; and in regard that the said offences are often committed in such a secret and clandestine manner that there can be no Witness or Witnesses to the same, but such who is or are partaker or partakers of the offence; and Whereas if the Buyers and Receivers of Lead, Iron, Copper, Brass, Cansah, Tutenague, Tin, Pewter, Bell-metal or other mixed Metal, knowing or having reasonable cause to suspect the same to be stolen, or unlawfully come by, were to be deemed and treated as Original Offenders, and punishable independently of the apprehension and conviction of the Thief; and if the apprehending, prosecuting and convicting the offenders in both kinds were rendered more easy and speedy, it might more effectually tend to the discovery and suppression of the said offences: for remedy whereof,

Recital of Act 13 George 3.

And Act 40 Geo. 3.

I. Be it therefore ordained by the Right Honorable the Governor General in Council of and for the Presidency and Settlement of Fort William in Bengal, under and by virtue of the powers in him vested by a certain Act of Parliament passed in the thirteenth year of the reign of His Majesty King George the Third, entitled " an Act for establishing certain " Regulations for the better management of the affairs of the East In- " dia Company as well in India as in Europe."—and by a certain other Act of Parliament passed in the fortieth year of His said Majesty King George the [illegible] Regulations for the " Government

"Government of the British Territories in India and the better administra-"tion of Justice within the same;" that from and after the due registry and publication of this Rule, Ordinance and Regulation in the Supreme Court of Judicature at Fort William in Bengal, with the consent and approbation of the said Supreme Court, if the said Court shall in its discretion approve of and consent to the registry and publication of the same; It shall and may be lawful for any Justice of the Peace for the Town of Calcutta and Settlement of Fort William in Bengal aforesaid, upon Complaint made to him upon Oath by any credible person that there is a reasonable cause to suspect stolen Lead, Iron, Copper, Brass, Cansah, Tutenague, Tin, Pewter, Bell-metal or other mixed Metal, is concealed in any Dwelling House, Out-house, Warehouse, Godown, Shop, Workshop, Manufactory, Yard, Garden, Area, Vault or other Building or Buildings, Place or Places, or in any Ship, Barge, Lighter, Boat or other Vessel or Craft on the said River, by Warrant under his hand and seal to cause every such Dwelling-House, Outhouse, Warehouse, Godown, Shop, Manufactory, Yard, Garden, Area, Vault, or other Building or Buildings, Place or Places, and every such Ship, Barge, Lighter, Boat or other Vessel or Craft on the said River to be searched in the day time; and if any Lead, Iron, Copper, Brass Cansah, Tutenague, Tin, Pewter, Bell-metal or other mixed Metal suspected to be stolen, shall be found therein, to cause the same and the person or persons in whose House, Outhouse, Warehouse, Godown, Shop, Workshop, Manufactory, Yard, Garden, Area, Vault or other Building or Buildings, Place or Places, or in whose Ship, Barge, Boat, Lighter, Vessel, or other Craft on the said River, the same shall be found, to be brought before any two or more Justices of the Peace acting in and for the said Town of Calcutta and Settlement of Fort William in Bengal aforesaid, and if the said person or persons shall not give an account to the satisfaction of such Justices of his, her or their having come honestly by the same, or shall not within some convenient time, to be set by the said Justices, produce the party or parties of or from whom he, she or they bought or received such Lead, Iron, Copper, Brass, Cansah, Tutenague, Tin, Pewter, Bell-metal, or other mixed Metal, that then the said Justices having taken in writing the substance of the charge, defence and evidence, are hereby authorized and empowered to adjudge the said person or persons so offending guilty of a Misdemeanor.

Any Justices of the Peace may upon complaint on oath, by any credible person, that there is reasonable cause to suspect stolen Lead, Iron, Copper, &c. to be concealed in any Dwelling House, Out-house, &c. or in any Ship, &c.

By warrant cause such Dwelling House &c. to be searched in the day time.

And if any Lead, &c. suspected to be stolen shall be found therein.

To cause the same and the person in whose house, &c. the same shall be found, to be brought before two or more Justices.

And if such person shall not give satisfactory account to them, of their possession of the same, or shall not within convenient time produce the party from whom the same was bought or received,

Such Justices having taken evidence thereof, may adjudge the offender guilty of a Misdemeanor,

II. And be it further ordained by the Authority aforesaid, that every Constable, Thanadar, Naib, Chowkedar, Burkundawz, or other Police Officer within the Town of Calcutta and Settlement of Fort William in Bengal aforesaid, shall and may apprehend, or cause to be apprehended all and every person or persons who may reasonably be suspected of having or carrying or any ways conveying any Lead, Iron, Copper, Brass, Cansah, Tutenague, Tin, Pewter, Bell-metal, or other mixed Metal, suspected to be stolen, or unlawfully come by, and the same, together with such person or persons, as soon as conveniently may be, to convey or

Any Constable, Thanadar, &c. may apprehend persons reasonably suspected of having or carrying &c. any Lead, Iron, &c. suspected to be stolen or unlawfully come by.

And convey the same

And if the party so apprehended shall not produce the person from whom the same was bought or received or some credible witness to depose on oath to the sale or delivery, Or shall not give satisfactory account of the possession of the same, Such Justices having taken evidence thereof, may adjudge the offender guilty of a Misdemeanor.

person or persons so apprehended conveying any such Lead, Iron, Copper, Brass, Cansah, Tutenague, Tin, Pewter, Bell-metal or other mixed Metal, shall not produce the party or parties from whom he, she or they bought or received the same, or some other credible Witness or Witnesses to depose upon Oath to the sale or delivery of the said Lead, Iron, Copper, Brass, Cansah, Tutenague, Tin, Pewter, Bell-metal, or other mixed Metal, or shall not give an account to the satisfaction of any two or more of such Justices of his, her or their having come honestly by the same, that then the said Justices having taken in writing the substance of the charge, defence and evidence, are hereby authorized and empowered to adjudge the said person or persons so apprehended guilty of a Misdemeanor.

Upon conviction of any offender of either of the said Misdemeanors. Two Justices may cause such Lead, Iron, &c. to be deposited at their office, or any other place for not exceeding 30 days. And in the meantime affix notice in English and Bengalee, at the office, describing such Lead, &c. and where same deposited, That the Owner or person lawfully interested may claim the same. And upon proof of title to the satisfaction of two Justices, They shall order restitution thereof, after payment of the reasonable charges attending the same.

III. And be it ordained by the Authority aforesaid, that where any person or persons shall be convicted of either of the Misdemeanors aforesaid, it shall and may be lawful for any two or more of such Justices to cause such Lead, Iron, Copper, Brass, Cansah, Tutenague, Tin, Pewter, Bell-metal or other mixed Metal, to be deposited at their office or in any other convenient place, for any time not exceeding thirty days; and in the mean time to cause notice to be given by fixing on some conspicuous place of the said office, notice in the English and Bengal Languages, describing such Lead, Iron, Copper, Brass, Cansah, Tutenague, Tin, Pewter, Bell-metal, or other mixed Metal, and where the same shall be so deposited, to the end that the Owner or Owners, or person or persons lawfully interested therein, may claim the same; and in case, any person or persons can prove his, her or their property in or lawful title to the possession of the said Lead, Iron, Copper, Brass, Cansah, Tutenague, Tin, Pewter, Bell-metal, or other mixed Metal, upon Oath, to the satisfaction of any two or more of such Justices of the Peace as aforesaid, that then such Justices shall order restitution of such Lead, Iron, Copper, Brass, Cansah, Tutenague, Tin, Pewter, Bell-metal, or other mixed Metal, to the Owner or Owners thereof, or person or persons, so lawfully entitled to the possession of the same, after paying the reasonable charges of removing, depositing and giving public notice of the same; and if at the end of the said thirty days, no such Owner or Owners, or person or persons as last aforesaid, shall prove his, her or their property in or lawful title to the possession of such Lead, Iron, Copper, Brass, Cansah, Tutenague, Tin, Pewter, Bell-metal, or other Mixed Metal, the same shall be sold by Public Auction, at the expiration of the said thirty days, or within some short and convenient time afterwards, for the best price that can be had for the same and after deducting the charges aforesaid, one Moiety of the Money arising from such sale to be given to the person or persons, who shall in the discretion of such Justices appear to have been principally instrumental in bringing any party or parties guilty of the Misdemeanors aforementioned or either of them to justice, and the other Moiety thereof to the Select Vestry of the Cathedral of St. John, in Calcutta, to be by them distributed to the Poor of the said Town of Calcutta and Settlement of Fort William in Bengal.

If after 30 days no Owner, &c shall prove his title, the same to be sold by Public Auction. And after deducting charges, A moiety of the proceeds to be given to the person or persons principally instrumental to the conviction, Residue to the Select Vestry of St. John's Cathedral, for the benefit of the Poor.

IV.

IV. And be it further ordained by the Authority aforesaid, that every person to whom any Lead, Iron, Copper, Brass, Cansah, Tutenague, Tin, Pewter, Bell-metal or other mixed Metal, shall be brought and offered to be sold, pawned, or delivered, shall and is hereby empowered, required and directed, there being a reasonable cause, to be approved as such by any Justice of the Peace for the said Town of Calcutta, to suspect that such Lead, Iron, Copper, Brass, Cansah, Tutenague, Tin, Pewter, Bell-metal, or other Mixed Metal was stolen or unlawfully come by, to apprehend, secure and carry before a Justice of the Peace, for the said Town of Calcutta and Settlement of Fort William in Bengal, the person or persons so bringing or offering the same, together with such Lead, Iron, Copper, Brass, Cansah, Tutenague, Tin, Pewter, Bell-metal, or other mixed Metal, and such person or persons so apprehended, shall be dealt with, and such Lead, Iron, Copper, Brass, Cansah, Tutenague, Tin, Pewter, Bell-metal or other mixed Metal, shall be deposited and disposed of in the same manner, as if he, she, or they had been apprehended by the Constable, Thanadar, or other Officers as aforesaid.

All persons to whom any Lead, Iron, &c. shall be offered for sale, pawn or delivery, required upon reasonable cause approved by a Justice, to suspect that the same was stolen or unlawfully come by, to apprehend and carry before a Justice the party so offering the same, together with such Lead, &c.

And the party so apprehended shall be dealt with, and such Lead, &c. disposed as if the party had been apprehended by a Constable, &c.

V. And be it further ordained by the Authority aforesaid, that upon conviction of any person or persons under or by virtue of the preceding Clauses of this Rule, Ordinance and Regulation, or any of the Provisions of the same before any two or more Justices of the Peace, acting in and for the said Town of Calcutta and Settlement of Fort William in Bengal, it shall and may be lawful for such two or more Justices of the Peace, to inflict upon such person or persons so convicted a suitable punishment by Fine, not exceeding One Hundred Sicca Rupees, on each and every person so convicted for the first offence; and for the second offence, a Fine not exceeding Two Hundred Sicca Rupees; and for every subsequent offence, a Fine not exceeding Four Hundred Sicca Rupees; and to cause the same to be paid, one Moiety thereof to the Informer, and other person or persons who shall in the discretion of the said Justices, appear to have been principally instrumental in bringing such Offender or Offenders to Justice, and the other Moiety thereof to the Select Vestry of the Cathedral of St. John in Calcutta, for the use of the Poor of the said Town of Calcutta and Settlement of Fort William in Bengal; and in case any such Offender shall not within three days, after his or her said conviction, (during which three days, the said Justices are hereby authorized and empowered to detain every such offender in safe custody,) pay the said fine so inflicted on him or her respectively, then the said Justices shall and may by warrant under their Hands and Seals, commit every such offender so respectively adjudged guilty as aforesaid to the Common Gaol or House of Correction of the Town of Calcutta, there to be kept to hard labour, without Bail or Main prize, for a period not exceeding two months for the first offence, and for the second offence for a period not exceeding four months; and for every subsequent offence, for a period not exceeding six months; PROVIDED always nevertheless, that no proceedings shall be had under or by virtue of this Rule, Ordinance and Regulation in any case, where the said Metals and mixed Metals, or any or either of

Upon all convictions under this Rule before two Justices, They may inflict a fine not exceeding One Hundred Sicca Rupees for the first offence. For the second offence not exceeding Two Hundred Sicca Rupees.

And for every subsequent offence not exceeding Four Hundred Sicca Rupees. One Moiety to the Informer and persons principally instrumental to the conviction.

Residue to the Select Vestry of Saint John's Cathedral for the use of the Poor.

In case offender shall not within three days (during which to be detained in custody) pay the Fine,

Justices may commit him to the Gaol or House of Correction to hard labour, without bail, for not exceeding two months for the first offence.

For the second offence not exceeding four months.

And for each subsequent offence, not exceeding six months. Proviso,

that this rule shall not extend to cases where the said Metals, &c. shall exceed in value Five Hundred Sa. Rs.

of them as aforesaid, to be brought before any such Justice or Justices of the Peace as aforesaid, shall exceed in value the sum of Five Hundred Sicca Rupees.

If any Goods, Wares or Merchandize, or other Property shall be found upon or in the possession if any Artificer, &c. or Servant employed or been recently employed on any Wharf or in any Arsenal, Dock-Yard, &c. (which Goods, &c. shall be of the same description as those vended, kept or used on any such Wharf, &c. where such person shall have been employed,

VI. And be it further ordained by the Authority aforesaid, that if after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, any Goods, Wares or Merchandizes, or other property whatsoever, shall within the Town of Calcutta and Settlement of Fort William aforesaid, be found upon or in the possession of any Artificer, Handicraftsman, Workman, Labourer, or Servant employed, or who shall have been recently employed on any Wharf, or in any Arsenal, Dockyard, Manufactory, Store house, Godown, Ware-house or Shop, (which Goods, Wares Merchandize or other Property so found upon or in the possession of any such person aforesaid, shall be of the same nature and description respectively as the Goods, Wares, Merchandize, Working Tools or other property vended kept or used on any such Wharf, or in any such Arsenal, Dockyard, Manufactory, Store-house, Godown, Ware-house or Shop, respectively, in upon or about which such person shall have been employed at the time, or recently before by the Owner or Owners thereof, or by any other person employed in, upon or about the same place),

Or if any such goods &c. shall be found in the possession of any person whomsoever, carrying away the same clandestinely, with an evil intent, from any such wharf, &c. or assisting such person in any such act (such Goods, &c. being of the same description as aforesaid)

or if any such Goods, Wares, Merchandize or other Property shall within the said Town of Calcutta and Settlement of Fort William, be found upon or in the possession of any person or persons whomsoever, who shall be carrying away the same clandestinely, with an evil intent from any such Wharf or out of any such Arsenal, Dockyard, Store-house, Godown, Warehouse or shop, or assisting such person in any such act, (such goods Wares, Merchandize, or other property being of the same nature and description respectively as aforesaid;)

And if there shall appear to two Justices just reason to suspect that such Goods &c. have been stolen &c. from such Wharf, &c.

and it there shall appear to two Justices of the Peace acting in and for the said Town of Calcutta and Settlement, before whom such Artificer, Handicraftsman, Workman, Labourer or Servant employed as first mentioned, or such person or persons as last aforesaid, may be brought, just reason to suspect that such Goods, Wares, Merchandize, or other property have or has been stolen, purloined, embezzled, or unlawfully and fraudulently taken away from such Wharf, Arsenal, Dock-yard, Manufactory, Store-house, Godown, Warehouse, or Shop;

And if such person shall not be able to give to such two Justices a satisfactory account of his possession thereof,

and if such person or persons upon or in whose possession the same shall have been found, shall not be able to give to such two Justices a satisfactory account of, or of the manner in which he, she or they came by such Goods, Wares, Merchandize or other Property, or otherwise reasonably account for his, her or their possession of the same, to the satisfaction of such two Justices,

They may upon oath of one or more credible Witnesses take cognizance of the same offences respectively.

it shall and may be lawful for such two Justices, upon the Oath or Oaths of one or more credible Witness or Witnesses, to take cognizance of such offence or offences as are herein-before in this Clause mentioned,

Form of proceeding.

to issue their Summons or Warrant, to hear the Parties, to examine Witnesses, and having taken in writing the substance of the Charge, Defence and Evidence, to acquit, or convict the person or persons accused,

Upon conviction commit offenders to the common Gaol or House of Correction to hard labour for not exceeding 6 months.

and in case of conviction under this Clause by Warrant under their hands and seals, to commit every such person so convicted to the Common Goal of Calcutta, or to the House of Correction of Calcutta, there

there to be kept to hard labour for a period not exceeding Six Months, and such Justices are also hereby further authorized and empowered to cause the property so suspected to have been stolen, embezzled or unlawfully and fraudulently taken away, to be delivered to such person or persons as shall appear to the said Justices to be the rightful Owner or Owners thereof. PROVIDED always nevertheless that no proceedings shall be had under or by virtue of this Clause of this Rule, Ordinance and Regulation in any case where the said Goods, Wares Merchandize or other property so to be found upon or in the possession of any such person as in this Clause mentioned, shall exceed in value the sum of Sicca Rupees Five Hundred.

And to deliver the property so suspected to have been stolen, &c. to such person as shall appear to be the rightful owner thereof.

Proviso that this Clause shall not extend to cases where such Goods, &c. shall exceed in value the sum of Sa. Rs. Five Hundred.

A RULE ORDINANCE & REGULATION for the good Order and Civil Government of the Settlement of Fort William in Bengal.

Passed in Council, 11th July.—Registered in the Supreme Court of Judicature, 11th August, 1817.

Preamble.

Recites Rule of 24th July, 1816.

I. WHEREAS a Rule, Ordinance and Regulation, intituled "a "Rule, Ordinance and Regulation for the good Order and "Civil Government of the Settlement of Fort William in Bengal, and for "ascertaining and fixing the wages to be paid to the Seafaring Men be-"longing to the port of Calcutta, and for securing the same to the said "Men, as also for the better providing the Ships and Vessels navigating "to and from the said port with Seafaring Men," was made and passed by the Right Honorable Francis Earl of Moira, Knight of the Most Noble Order of the Garter, Governor General of and for the Presidency of Fort William in Bengal in Council, the twenty-first day of June in the year of our Lord One Thousand Eight Hundred and Sixteen, and was registered in the Supreme Court of Judicature at Fort William in

2d Section thereof found insufficient.

Bengal the twenty-fourth day of July in the same year—And Whereas by the II. Section of this Rule, Ordinance and Regulation last aforesaid, certain rates of Impress or Rates of Wages therein specified were ordered to be paid to the Seamen and Seafaring Men belonging to and sailing from the port of Calcutta, at or before the commencement of every voyage—And Whereas the Rates of Impress and advance of Wages

Ordained that no greater Impress shall be given to or demanded by any Seaman, &c. below the rank of Mate.

On a voyage to Europe than three months' Wages.

On a voyage to any port of Asia, Africa, or America than 2 month's Wages.

Unless such Seaman and the Commander or Owner shall by writing to be acknowledged before the Registrar, mutually agree for a different rate of Impress

...h agreement to be ...d by the R...

therein specified or ordered to be paid have been found in practice to occasion dfficulties and inconveniences in manning Ships and Vessels sailing from the port of Calcutta—And Whereas it is deemed just, reasonable and expedient to amend the same—Be it therefore ordained by the Authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation, no greater Impress or advance of Wages shall be given to, or demanded by any Seaman or Seafaring Man below the rank of a Mate, sailing from the port of Calcutta, if on any voyage to any port or ports of Europe, than three months Wages, or if on any voyage to any port or ports of Asia, Africa, or America, than two months Wages, at the rate of Wages specified in the Table of Wages set forth in the said II. Section of the said Rule, Ordinance and Regulation hereinbefore mentioned, unless such Seaman or Seafaring Men, and the Commander or Owner of the Ship or Vessel in which such Seamen or Seafaring Man or Men shall have agreed to embark, shall voluntarily by writing, signed by them and each of them respectively, and by their Signatu... acknowledged before the Registrar of the Marine Registry Office, ... the ...

Regulation herein-before last mentioned, mutually agree for a different rate of Impress or advance of Wages, which writing and the explanation thereof to the said Seafaring Men shall be attested by the said Registrar; and that if any Gunner, Carpenter, Boatswain, or other inferior Officer, or Seafaring Man, or Lascar, shall enter into any combination to exact a greater Impress or advance of Wages than is allowed in and by this Rule, Ordinance and Regulation, unless by contract in writing between the several contracting parties to be registered as before provided for; It shall and may be lawful for any two of His Majesty's Justices of the Peace, acting in and for the Town of Calcutta, and Settlement of Fort William in Bengal, upon complaint to them made for any breach of this Section of the said Rule, Ordinance and Regulation, or of any of the provisions hereof, to take cognizance of such Complaint, to issue their Summons or Warrant for bringing before them the party or parties complained against, to hear the parties, examine Witnesses, and having taken in writing the substance of the Complaint, Defence and Evidence, to acquit or convict the person or persons so accused.

If any Gunner, Carpenter, &c. enter into any combination to exact a greater Impress, than allowed, unless by contract in writing to be registered as aforesaid,

Two Justices may upon complaint take cognizance thereof.

Form of proceeding.

II. And Whereas by the III. and IV. Sections of the said Rule, Ordinance and Regulation, made and passed as aforesaid on the twenty-first day of June, One Thousand Eight Hundred and Sixteen, and registered as aforesaid on the Twenty-fourth day of July in the same year, it was ordained that the names of all Seamen and Seafaring Men sailing from or belonging to the port of Calcutta, as therein described, should be registered in the Marine Registry Office, therein ordered to be established, and that the Registrar of the said Marine Registry Office, should furnish without expence to every Seaman and Seafaring Man so registered, a Certificate of such his Registry—And Whereas much difficulty and inconvenience has been found to result from such Seamen and Seafaring Men as have been so registered, losing, selling, and wilfully destroying their said Certificates of Registry—Be it therefore ordained by the Authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation, any Seaman or Seafaring Man, who may have been once registered at the Marine Registry Office aforesaid in manner before mentioned, and who shall have lost his Certificate of Registry in any manner for which he cannot account to the satisfaction of the said Registrar, shall be bound to pay for a Duplicate of the same, which said Duplicate shall be signed by the Registrar, the sum of Sicca Rupees Five, and that before he shall have obtained such duplicate Certificate, he shall not again be employed as a Seaman or Seafaring Man, through the means of the said Marine Registry Office, on board of any Ship or Vessel sailing from the port of Calcutta, and the said original Certificate shall be deemed to be cancelled and of no effect.

Recites Sections III & IV. of the said Rule of 1816.

And that difficulties arise from the loss, and sale of Certificates.

That a Seaman once registered and losing Certificate for which he cannot account to the satisfaction of the Registrar.

Shall be bound to pay for a Duplicate the sum of Five Sa. Rs.

Without which he shall not again be employed through the said office

And original Certificate to be deemed cancelled.

III. And be it further ordained by the Authorit[illegible]
and after the due registry and publication of th[illegible]
Regulation as aforesaid, any Seaman or Se[illegible]
once registered in the M[illegible]ne Registry O[illegible]
apply to the said Mari[illegible] [illegible]try Off[illegible]
[illegible]am [illegible]

Two Justices may upon complaint take cognizance thereof.

Form of proceeding.

description, without first giving express notice to the said Registrar of such his previous Registry, with intent to defeat or obstruct the due execution of this Ordinance, it shall and may be lawful for any two Justices of the Peace, acting in and for the Town of Calcutta and Settlement of Fort William in Bengal, upon complaint to them made of any breach of this Section of this Rule, Ordinance and Regulation, or of any of the provisions hereof, to take cognizance of such Complaint, to issue their Summons or Warrant for bringing before them the party or parties complained against, to hear the parties, examine Witnesses, and having taken in writing the substance of the Complaint, Defence and Evidence, to acquit or convict the person or persons so accused.

Every Seaman who shall reside or come to reside in Calcutta,

Whether registered or not, shall within 48 hours after his arrival, report to the Thanadar &c. of the division and to the Registrar, the place of his abode and the name of the Owner of the House.

And so toties quoties on every change of abode.

And in default thereof.

Two Justices may take cognizance thereof.

Form of proceeding.

IV. And be it further ordained by the Authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid, every Seaman and Seafaring man, below the rank of Mate, who shall reside, or sojourn, or who shall come to reside, or sojourn within the Town of Calcutta, whether he be a registered Seaman, or not, shall be bound, within the space of Forty-eight hours after the said registry and publication, or after his arrival in the Town of Calcutta, or, if prevented therefrom by reasonable cause, then as soon afterwards as he reasonably can, to report to the Thanadar, Naib, or Chowkedar of the Division of Calcutta, in which he may so reside, or sojourn, and also to the Registrar of the said Office, the Situation of the House he may inhabit, together with the name of the Owner or Occupier thereof, and that on removing from the house which he may have so reported himself to inhabit, to any other house in the same Division, he shall be bound in like manner again to report himself to the said Thanadar, Naib, or Chowkedar of that Division and to the said Registrar as aforesaid; or in case of his removing to any house in any other Division, that he be also in like manner bound to report himself to the Thanadar, Naib, or Chowkedar of such other Division into which he shall so remove, and to the said Registrar as aforesaid; and that in case of any Seaman or Seafaring man residing or sojourning within the Town of Calcutta, without having first reported himself in manner aforesaid, it shall and be lawful for any two of His Majesty's Justices of the Peace, acting in and for the Town of Calcutta, and Settlement of Fort William in Bengal, upon Complaint to them made thereof, to take cognizance of such Complaint, to issue their Summons or Warrant for bringing before them the party or parties complained against, to hear the parties, examine Witnesses, and having taken in writing the substance of the Complaint Defence and Evidence, to acquit or convict the person or persons so accused.

Persons to whose House, &c. any Seaman shall come for the purpose of residing therein shall within 48 hours give notice thereof to ... of

V, And be it further ordained by the Authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation, every person or persons to whose House, Lodging or Premises in Calcutta, any Seaman or Seafaring man or men below the rank of Mate, shall come for the purpose of residing or sojourning therein, [illegible] within the space of Forty-eight hours to give notice to the [illegible] of the Division in which such House, [illegible] such Seaman or Seafaring man or

or men having so come, and of the Name or Names of every such Seaman or Seafaring man; and that, in case any such person or persons to whose House, Lodging or Premises in Calcutta any such Seaman or Seafaring man or men shall so come to reside or sojourn. shall, with knowledge of the fact of such person or persons being such Seafaring man or men (which knowledge shall be presumed, unless negatived by express evidence or reasonable circumstance,) fail to give such notice as aforesaid, it shall and may be lawful for any two of His Majesty's Justices of the Peace, acting in and for the Town of Calcutta and Settlement of Fort William in Bengal, upon Complaint to them made thereof, to take cognizance of such Complaint, to issue their Summons or Warrant for bringing before them the party or parties complained against, to hear the parties, examine Witnesses, and having taken in writing the substance of the Complaint, Defence and Evidence, to acquit or convict the person or persons so accused.

In default thereof, with the knowledge of the party being a Seaman (which shall be presumed unless negatived by evidence or reasonable cause,)

Two Justices may take cognisance thereof.

Form of proceeding.

VI. And be it further ordained by the Authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation. every Seaman and Seafaring man shipped from and through the Marine Registry Office herein before mentioned, shall be bound, on the return to the port of Calcutta of such Ship or Vessel on which he may have served, after any Voyage he may have performed therein, to pay to the Registrar of the said Marine Registry Office in cash, or to work out on board the said Ship or Vessel, any balance that may be ascertained by the said Registrar to be owing by him to the Owner or Owners of the said Ship or Vessel, (if any such balance there be) whether such balance arise from the Impress first given at the commencement of the Voyage, or from any subsequent advance or advances of Money Clothes or other Articles supplied for his use from the said Ship or Vessel during her Voyage; and in case the said Ship or Vessel should proceed on another Voyage, before such balance of Wages can be so worked out or paid by such Seafaring man, he shall be bound to perform the Voyage which the said Ship or Vessel shall then be about to undertake, and such balance as may remain due to the said Owner or Owners from the first Voyage, shall be deducted from the Impress or advance of Wages ordered to be paid for such new Voyage then about to be undertaken.

Every Seaman shipped from the Marine Registry office shall on the return of his Ship pay to the Registrar, or work out on board the said Ship, any balance due by him to the Owner thereof, whether such balance arise from the Impress first given, or from any subsequent advance during the Voyage.

In case such Ships proceed on another voyage, before balance worked out or paid,

He shall perform the then intended Voyage.

And such balance be deducted from the Impress, then to be paid.

VII. And Whereas it hath been found that divers acts of Fraud, Peculation, Extortion and other Ill-behaviour, unjustly and fraudulently to obtain Money, or other valuable thing from the Seamen or Seafaringmen employed by or through the means of, or resorting for employment to the said Office, or to the Officers or Servants employed by the same, have been and are continually practised by the inferior Officers and Servants employed in and about the business of the said Marine Registry Office, towards such Seamen or Seafaring men of, or resort or apply to, or may be desirous of resorting or applying to the said Office, or to any of the Officers or Servants thereof for the purpose of being registered therein, or being supplied therefrom. or for any other lawful purpose, and that such Officers and Servants have been and still are guilty of frequent Miscarriage, Ill-behaviour and Neglect of Duty in such service or employ—AND WHEREAS

Recites the existence of Frauds, &c. practised by the inferior Officers and Servants, employed in the Marine Registry Office, to obtain Money &c. from Seamen.

And who are guilty of Miscarriage and Neglect of Duty in such service.

Two Justices upon complaint made against any Serang, Tindal, &c. or other inferior officer or servant, employed in such service, of any Fraud, &c against any Seaman, &c. desirous of being employed by or registered in the said office, or resorting thereto for such purposes, or for any lawful purpose;

WHEREAS it is thought by us just and reasonable that a suitable remedy should be provided against the said grievances; —Be it therefore further ordained by the Authority aforesaid that from and after the due registry and Publication of this Rule, Ordinance and Regulation as aforesaid, it shall be lawful for any two Justices of the Peace, acting in and for the Town of Calcutta and Settlement of Fort William aforesaid, upon complaint to them made against any Serang, Tindal. Jemadaur, Kussaub, Hurcarra, Peon or other inferior Officer or Servant employed in or about the business of the said Marine Registry Office, of and concerning any Fraud. Peculation, Extortion or Ill-behaviour by him or them, or by his or their authority, direction or connivance, committed towards any Seaman, or Seamen, Seafaring man or men, or other person or persons desirous of being, or becoming, or being employed as a Seaman, or Seamen, Seafaring man or men, by or through the means of the said Office, or resorting, or applying to, or who may be desirous of resorting or applying to the said Marine Registry Office, for the purpose of being registered, or being shipped therefrom or by or through the means of the said Office, or for any other lawful purpose, or of and concerning any Miscarriage, Ill-behaviour or Neglect of Duty done or committed by such Serang. Tindal, Jemadaur, Kussaub, Hurcarra, Peon or other inferior officer or Servant aforesaid in such service towards the Registrar of the said Marine Registry office, in his official capacity, or in fraud, or disparagement of his duty as such Registrar, to take cognizance of such Complaint, to issue their Summons or Warrant for bringing before them the party or parties complained against, to hear the parties. examine Witnesses, and having taken in writing the substance of the Complaint, Defence and Evidence, to acquit or convict the person or persons so accused.

Or of any Miscarriage or Neglect of Duty by such Serang &c. towards the Registrar in his Official Capacity,

May take Cognizance thereof.

Form of proceeding.

VIII. And be it further ordained by the Authority aforesaid, that upon conviction of any person or persons under or by virtue of this Rule, Ordinance and Regulation, or any of the provisions thereof, before any two of his Majesty's Justices of the Peace, acting in and for the Town of Calcutta at Fort William in Bengal, it shall and may be lawful for two Justices of the Peace to inflict upon each and every person convicted of either of the Offences in the preceeding first or third Section of this Ordinance respectively mentioned, a suitable punishment by fine, not exceeding Fifty Sicca Rupees, and by warrant under their hands and seals to commit such person or persons to the Common Gaol, or House of Correction of the Town of Calcutta, there to be kept to hard labour for a period not exceeding two Caleadar Months, unless such Fine or Fines be sooner paid; and upon such and every person convicted of either of the offences in the preceding fourth or fifth Section of this Ordinance respectively mentioned, a suitable punishment by fine not exceeding Five Sicca Rupees, and by warrant under their hands and seals to commit such person or persons, so convicted, to the Common Gaol or House of Correction of the Town of Calcutta, there to be kept to hard labour for a period not exceeding fifteen days, unless such Fine or Fines be sooner paid, and that all such fine or fines shall be paid to the said Justices of the Peace, by the party or parties so convicted, and the amount thereof shall be

Penalties upon convictions under this Rule.

Offenders under the 1st and 3d Sections to be fined not exceeding 50 Sa. Rs.

And to be committed to Gaol or the House of Correction to hard labour for not exceeding two Months, unless fine be sooner paid.

Offenders under the 4th and 5th Sections to be fined not exceeding five Sa. Rs.

And to be committed to Gaol or House of Correction to hard labour for not exceeding fifteen-days, unless fine be sooner paid.

be transmitted by such two Justices of the Peace to the Clerk of the Crown, for the use of his Majesty; and that upon conviction of any person or persons under or by virtue of the preceeding seventh Section of this Rule, Ordinance and Regulation, before any two of his Majesty's Justices of the Peace aforesaid, it shall and may be lawful for such two Justices to adjudge each and every person, so convicted of the offence in the said last mentioned Section of this Rule, Ordinance and Regulation mentioned, to imprisonment in the said Common Gaol or House of Correction of the Town of Calcutta and Settlement of Fort William aforesaid, there to be kept to hard labour for a period not exceeding two Calendar Months, provided that the said punishment shall not prevent the party aggrieved by the Fraud, Peculation, Extortion or other Ill-behaviour in the said seventh Section before mentioned from recovering back, by due course of Law in any court of competent Jurisdiction, the sum or sums of which he shall have been defrauded or cozened, in any manner in the said seventh Section mentioned.

All Fines to be paid to the Justices to be transmitted to the Clerk of the Crown, for the use of His Majesty.

Offenders under the 7th Section to be imprisoned in the Gaol or House of Correction, to hard labour for not exceeding two months.

Proviso that such punishment shall not prevent the party grievede by the fraud &c. in the said Section mentioned from recovering, by due course of Law, the Monies of which he shall have been defrauded.

A RULE ORDINANCE & REGULATION for the good Order and Civil Government of the Settlement of Fort William in Bengal.

PASSED IN COUNCIL 13th January.—REGISTERED IN THE SUPREME COURT OF JUDICATURE, 7th February, 1818.

Preamble.

Recites that divers persons have opened and established under the denomination of Hotels Coffee Houses, Taverns, &c.

WHEREAS divers persons have opened and established within the Town of Calcutta, under the denomination of Hotels, Coffee Houses, Taverns, Punch Houses, Ale Houses, Eating Houses, Boarding Houses, and under other denominations, Houses for the Public Resort and Entertainment of Seamen of all Nations and others;—And Whereas the existence of such Houses of Public Resort and Entertainment within the Town of Calcutta, unlicensed and uncontrolled by the Magistracy, has been found by experience to conduce to the desertion of Seamen as well from His Majesty's Ships and Vessels of the Honorable Company, and from those of other Merchants, trading to and from the Port of Calcutta, and also to the desertion of Soldiers from His Majesty's and the Honorable Company's Military Services, to the great damage and injury of such Shipping, and of such Military Services respectively, as well as to the injury and detriment of such Seamen and Soldiers, as are tempted and encouraged to desert from their respective services, by the Proprietors and Keepers of such Houses of Public Resort and Entertainment;—And Whereas also the existence of such Houses has further been found generally injurious to the morals of the lower classes of the people within the Town of Calcutta, by affording the ready means of Riot, Drunkenness and Dissipation, and by having become receptacles and places of concealment as well for such Deserters, as aforesaid, as for divers other offenders against the Law, who have thus in many instances evaded the pursuit of the Officers of Justice;—And Whereas it hath also been found, that the duties payable on the sale of distilled Liquors, within the said Town of Calcutta, have been commonly evaded by the said Proprietors and Keepers of such Houses as aforesaid, under the pretence that no such Liquors are therein kept, disposed of or consumed, though it is notorious, that such Liquors are therein kept and daily sold and consumed in a clandestine manner, to the great defalcation of the said duties—And whereas it is deemed just, reasonable and expedient, to provide some remedy for these grievances.

Houses for the Public Resort of Seamen.

And the same being unlicensed and uncontrolled by the Magistracy, conduce to the desertion of Sea men.

And of Soldiers.

And other evils have resulted therefrom.

And also the Duties on the Sale of Distilled Liquors have been evaded by the Proprietors and Keepers of such Houses.

Recital of Act 13 Geo 3.

I. Be it therefore ordained by the Honorable the Vice-President in Council, by and in virtue of the authority and powers in him vested by a certain Act of Parliament, made and passed in the thirteenth Year of the Reign of His Majesty King George the Third, intituled "an Act for establishing certain Regulations, for the better management of the affairs "of

"of the East India Company, as well in India as in Europe," and by a certain other Act of Parliament, passed in the fortieth year of the Reign of His said Majesty King George the Third, intituled, "An Act for establishing further Regulations for the Government of the British Territories in India, and the better Administration of Justice within the same,"—that, from and after the due registry and publication of this Rule, Ordinance, and Regulation in the Supreme Court of Judicature at Fort William in Bengal, with the consent and approbation of the said Supreme Court, if the said Court shall in its discretion approve of, and consent to the registry and publication of the same; It shall not be lawful for any Inhabitant of the Town of Calcutta to open, or to establish, or keep open any Hotel, Coffee House, Tavern, Punch House, Ale House, Eating House, Boarding House, or any other House of Public Resort and Entertainment, under whatever denomination the same may be, within the Town of Calcutta, without a License for the same being first had and obtained from and under the Signature of two of His Majesty's Justices of the Peace, acting in and for the said Town of Calcutta and Settlement of Fort William, which said License shall or may be granted by such two Justices as aforesaid, for the Term of One Year, and be nevertheless resumable by them, at any time within such year, in case of any misconduct or misbehaviour proved before them, of or in such person or persons, to whom such License shall have been granted, and which said Licence it shall and may be lawful for such two Justices acting as aforesaid, at their discretion to refuse to any person or persons, who shall not have previously taken out the usual License for vending Spirituous Liquors, and it shall and may be lawful for any such two Justices of the Peace acting as aforesaid, upon complaint to them made of any such Hotel, Coffee House, Tavern, Punch House, Ale House, Eating House, or other description of House of Public Resort and Entertainment, as herein before mentioned, being opened or established, or kept open without such License, as is required by this Rule, Ordinance, and Regulation, having been first had and obtained therefor, to take cognizance of such complaint, to issue their warrant for bringing before them the party or parties complained against, to hear the parties, examine Witnesses, and having taken in writing the substance of the Complaint, Defence, and Evidence, to acquit or convict the person or persons so accused.

And 40th Geo. 3.

No person to open or establish, or keep open any Hotel, &c. or any House of public Resort and Entertainment, within the Town of Calcutta,

Without License from two Justices.

To be granted for one year.

Resumable within that period, in case of misconduct.

And which may be refused to any person, who shall not have taken out the usual License for vending Spirituous Liquors.

Two Justices may upon complaint that any such Hotel, &c. has been opened, &c. without such License take cognizance thereof.

Form of proceeding.

II. And be it further ordained by the Authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance, and Regulation as aforesaid, every person or persons, to whom such License shall be granted for the purpose of keeping such Hotel, Coffee House, Tavern, Punch House, Ale House, Eating House, Boarding House, or other description of House of Public Resort and Entertainment, as herein before mentioned, shall at or before the time of receiving the same, be bound by cognizance, in the Penal Sum of Four Hundred Sicca Rupees, with two sufficient Securities in the Penal Sum of Two Hundred Sicca Rupees each, to be entered into by each and every of them to two of His Majesty's Justices of the Peace, acting in and for the said Town of Calcutta and Settlement of Fort William aforesaid, who are hereby authorized to

Persons upon obtaining License to enter into Recognizance in the Penalty of 400 Sa. Rs. with two sufficient Sureties in 200 Sa. Rs. each.

to take and accept them, by which such persons and each and every of them shall be bound in the Penal Sum and Sums herein before mentioned, that the said person or persons to whom such License shall be granted, will use his, her or their utmost endeavours to prevent Gaming, Drunkenness, and every other species of Debauchery whatever, and every kind or sort of Riot, Affray and Disorder, within every such House as aforesaid, for the opening and establishing or keeping open of which such License shall be sought to be obtained; And further that he, she, or they will report daily in writing to some one or more of the said Justices of the Peace, acting in and for the Town of Calcutta and Settlement of Fort William aforesaid, the Names and Qualities of all persons residing at or within his, her, or their said House of Entertainment, for which any such License shall be so sought to be obtained as aforesaid, and further that he, she, or they will not knowingly receive or harbour in his, her, or their said House or any part thereof any such Deserter or Deserters as herein before described, or any person or persons notoriously defamed of or for Theft or other felony whatever, and also further that he, she or they will give notice to one of His Majesty's Justices of the Peace, acting in and for the Town of Calcutta and Settlement of Fort William aforesaid, or to one of the Constables or other Peace Officers of the said Town and Settlement aforesaid, of any person or persons resorting to his, her, or their said House respectively, whom he, she, or they may have reasonable cause to suspect to be such Deserter or Deserters, or person or persons so defamed of or for Theft or other felony as aforesaid.

Conditioned that they shall use their utmost endeavours to prevent Gaming, Drunkeness, &c. within their Houses.

And report daily in writing to one of the Justices the names and qualities of all persons residing therein.

And that they will not knowingly receive or harbour any such Deserters as aforesaid, or any persons notoriously defamed of or for Theft or other felony.

And that they will give notice to one of the Justices, or a Constable, &c. of any such person so resorting to their Houses.

III. And be it further ordained by the Authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation, it shall and may be lawful for His Majesty's Justices of the Peace, acting in and for the Town of Calcutta and Settlement of Fort William aforesaid, and their subordinate Officers, to apprehend every Mariner, Seaman, or Seafaring man, below the rank of Mate, found on shore, and within the Town of Calcutta, without leave in writing for that purpose from the Commander or other Officer of the Ship or Vessel to which such Mariner, Seaman, or Seafaring man, may at the time of his being so apprehended belong, or unless he shall produce a written discharge from the Commander of the Ship or Vessel, to which he last belonged; And it shall and may be lawful for any one or more of His Majesty's Justices of the Peace, acting in and for the Town of Calcutta, and Settlement of Fort William as aforesaid, to detain, and lodge in safe Custody every such Mariner Seaman, or Seafaring man, so found within the Town of Calcutta, without such leave in writing as aforesaid, or without producing such written Discharge as aforesaid, or otherwise shewing lawful cause for being on shore within the said Town, to be afterwards dealt with as Deserter or Absentee from his said Ship or Vessel, according to the Laws now in force within the Settlement of Fort William or Town of Calcutta, for the apprehension, detention, and punishment of Deserters and Absentees from such Ships or Vessels, or otherwise to be dealt with according to Law.

Justices and their Officers may apprehend every Mariner, &c. below the rank of Mate, found on shore within the Settlement without leave in writing from the Commander or other Officer of his Ship,

Or unless he produce a written discharge.

And one Justice may detain every such Mariner, &c. not shewing lawful cause for being on shore.

To be dealt with as a Deserter or Absentee, according to the Rules in force regarding the same.

Or otherwise according to Law.

IV.

IV. And be it further ordained by the Authority aforesaid, that from and after the due registry and publication of this Rule, Ordinance and Regulation, it shall and may be lawful for the Justices of the Peace, acting in and for the Town of Calcutta aforesaid, to regulate the landing and embarking of Seamen at fixed and particular Ghauts within the said Town of Calcutta, and that the Ghauts at which such Seamen may be permitted to land and embark, which shall and are hereby directed to be conveniently assigned for that purpose, shall be indicated by a Board fixed in some conspicuous place, at or on every such Ghaut, and facing the river Hooghly, on which said Board shall be painted in large and conspicuous letters the words " Seamen permitted to land and embark here;" and it shall and may be lawful for any Constable, Thanadar, or other Officer of Police, and they are hereby required to apprehend, detain and carry before any two of His Majesty's Justices of the Peace acting in and for the Town of Calcutta, any Mariner, Seamen, or Seafaring man below the rank of a Mate, landing or embarking at any or either of the Ghauts within the Town of Calcutta, other than those on which such Boards shall be fixed as aforesaid, which said two Justices may and are hereby authorized to take cognizance of the offence, examine Witnesses, and having taken in writing the substance of the Charge, Defence, and Evidence, to acquit or convict the person or persons so accused.

Justices to regulate the landing and embarking of Seamen at fixed and particular Ghauts.

Such Ghauts to be indicated by a Board fixed in some conspicuous place there.

All Constables &c. to apprehend, detain and carry before two Justices any Mariner, &c. landing or embarking at any other Ghauts.

Such two Justices to take cognizance thereof.

Form of proceeding.

V. And be it further ordained by the Authority aforesaid, that upon conviction of any person or persons, under or by virtue of this Rule, Ordinance and Regulation, or any of the Provisions thereof, before any two of his Majesty's Justices of the Peace, acting in and for the Town of Calcutta and Settlement of Fort William, it shall and may be lawful for such two Justices of the Peace to inflict upon each and every person, convicted of the offence in the preceeding first Section of this Ordinance mentioned, a suitable punishment by fine not exceeding the sum of one hundred Sicca Rupees, and by warrant under their hands and seals to commit such person or persons so convicted to the Common Goal, or House of Correction of the Town of Calcutta, there to be kept at hard labour, for a period not exceeding one Calendar Month, unless such fine or fines be sooner paid, and upon each and every person convicted of the offence in the preceeding fourth Section of this Ordinance mentioned, a suitable punishment by fine not exceeding five Sicca Rupees, and by warrant under their hands and seals to commit such person or persons so convicted to the Common Gaol of Calcutta for a period not exceeding seven days, unless such fine or fines be sooner paid; and that all such fine or fines shall be paid to the said Justices of the Peace by the party or parties so convicted, and the amount thereof shall be transmitted by such two Justices of the Peace to the Clerk of the Crown, for the use of His Majesty.

Upon convictions under this Rule before two Justices.

They may inflict upon offenders under the first Section hereof, a fine not exceeding 100 Sicca Rupees.

And to commit such offenders to the Gaol or the House of Correction to hard labour for not exceeding one month unless such fine be sooner paid.

And upon offenders under the fourth Section, a fine not exceeding 5 Sa. Rs.

And to commit such offenders to the Goal for not exceeding seven days unless such fine be sooner paid.

All fines to be paid to convicting Magistrate.

For the use of the Crown.

VI. And Whereas it was ordained amongst other things by a Rule Ordinance, and Regulation, made and passed by the Honorable the Vice President in Council, on the twentieth day of July, in the year of our Lord One Thousand Eight Hundred and Fourteen, and registered in the Supreme

Recital of Rule of the 11th of November 1814 Section 1.

Supreme Court of Judicature at Fort William in Bengal, on the eleventh day of November, of the said year, that if any assault, forcible entry, or other injury accompanied with force, not being felony, should be committed in the Settlement of Fort William against the person or property of any person whatsoever, it should and might be lawful for any person or persons to complain of such assault, forcible entry, or other injury accompanied with force, not being felony, to two Justices of the Peace, acting in and for the Town of Calcutta, and the said Settlement of Fort William, and that such two Justices of the Peace should have power and authority, at the instance of the person or persons complaining, to take cognizance of such Complaint, to issue their summons or warrants for bringing the party or parties complained of, before them, to hear the parties, to examine Witnesses, and having taken in Writing the substance of the Complaint, Defence and Evidence, to acquit or convict the person or persons accused, and in case of conviction to inflict upon such person or persons a suitable punishment by fine not exceeding forty Sicca Rupees, on each and every such person or persons so convicted, and by warrant under their hands and seals to commit such offender or offenders to the Common Gaol of Calcutta aforesaid, for a period not exceeding two months, unless such fine or fines should be sooner paid; and that it should be lawful for the said two Justices of the Peace to award the whole or any portion of such fine or fines, to the party or parties aggrieved, by way of satisfaction for such injury, and that all such fines should be paid in the first instance to the two Justices of the Peace before whom the party or parties offending should be convicted, and the amount thereof,

Recites that the punishment thereby ordained to be inflicted on the offenders, therein mentioned, had been found insufficient, and therefore,

after making such satisfaction to the party or parties aggrieved as aforesaid, if any, should be transmitted by such two Justices of the Peace to the Clerk of the Crown for the use of His Majesty;--and Whereas the said punishment so ordained in and by the said last mentioned Rule, Ordinance and Regulation, to be inflicted on the offender therein mentioned, hath not been found in all cases suitable to the correction of such offenders,—Be it therefore ordained by the Authority aforesaid, that, from

That any two Justices in case of such conviction of any assault, forcible entry, or other injury accompanied with force, not being felony,

and after the due registry and publication of this Rule, Ordinance and Regulation as aforesaid it shall and may be lawful for any two Justices of the Peace acting in and for the Town of Calcutta and Settlement of Fort William in Bengal aforesaid, in case of such conviction before them of any

May inflict a fine not exceeding one hundred Sa. Rs.

assault, forcible entry, or other injury accompanied with force not being felony, to adjudge each and every person or persons so convicted, to pay a fine not exceeding one hundred Sicca Rupees, and by Warrant under

And commit the offender to the gaol, for not exceeding 3 months, unless such fine be sooner paid,

their hands and seals to commit such offender or offenders to the Common Gaol of Calcutta aforesaid, for a period not exceeding three months, unless such fine or fines shall be sooner paid and it shall be lawful for the said two Justices of the Peace, to award the whole or any portion of

And to award the whole or any part of such fine to the party aggrieved.

such fine or fines to the party or parties aggrieved, by way of satisfaction for such injury; and all such fines shall be paid in the first instance to the two Justices of the Peace before whom the party or parties offending shall be convicted, and the amount thereof, after making such satisfaction

If surplus to go to the Crown.

to the party or parties aggrieved as aforesaid, if any, shall be transmitted by such two Justices to the Clerk of the Crown, for the use of His Majesty.

A RULE ORDINANCE & REGULATION for the good Order and Civil Government of the Settlement of Fort William in Bengal.

PASSED IN COUNCIL, 9th July.—REGISTERED IN THE SUPREME COURT OF JUDICATURE, 22nd October, 1819.

WHEREAS great Losses and Impediments are found to occur in the execution of the daily Business at the Government Mint, situated within the Town of Calcutta and Settlement of Fort William, from the Frauds and Impositions of the Working Artificers. Workmen and Labourers there employed, and their Neglect and Refusal to perform the Work for which they have hired and engaged themselves, and for which Mischiefs it is just, reasonable and expedient to provide more speedy and effectual Remedy;—Be it therefore ordained by the Most Noble Francis Marquis of Hastings, Knight of the Most Noble Order of the Garter, Governor General of and for the Presidency and Settlement of Fort William in Bengal, in Council, by and in Virtue of the Authority and Powers in him vested by a certain Act of Parliament made and passed in the Thirteenth year of the Reign of His Majesty King George the Third, intituled "an Act for establishing certain Regulations for the better Management "of the Affairs of the East India Company as well in India as in Europe," and by a certain other Act of Parliament passed in the Fortieth year of the Reign of His said Majesty King George the Third, intituled "an Act "for establishing further Regulations for the Government of the British "Territories in India and the better Administration of Justice within the "same,"—That from and after the due Registry and Publication of this Rule, Ordinance and Regulation, with the Consent and Approbation of the said Supreme Court, if the said Court shall in its discretion approve of and consent to the Registry and Publication of the same; If any Working Artificer, Refiner, Melter of Coin or Bullion, Roaster of Blanks, Cutter of Coin or Bullion, Adjuster, Dye Feeder, Stamper, Turner, Smith, Brazier, or other person then hired and employed, or thereafter to be hired and employed in the said Mint, shall not attend and commence such Work at the time which he shall have been so hired for such Employment, or shall absent himself from his Work, or shall neglect or refuse to work upon ordinary Working Days and during the ordinary Working Hours of the day at the said Mint according to the Regulations established in that behalf at the time such person was hired, or shall during the time when he shall have been so hired, neglect or refuse to execute the Work appointed to him to do, and for which he was so hired and employed within the usual and reasonable time for that purpose, unless for some reasonable Cause to be allowed by two Justices as hereinafter mentioned; or if any Lascar, Cooly

Preamble.

Recites great Losses and Impediments occurring in the daily business of the Mint from Frauds and Neglect of Duty in Workmen.

Recital of Act 13th George 3d.

And Act 40, Geo. 3d.

If any Working Artificer, &c. then or thereafter to be employed in the Mint, shall not attend and commence such Work or absent himself from or neglect or refuse to work, according the Regulations of the Mint,

Unless for reasonable cause to be allowed by

two Justices as after mentioned: Or if any Lascar, &c. having accepted from any Officer or other person employed by the Mint, Money or Hire in advance for Work, &c. shall neglect or refuse to attend, &c. Without sufficient cause to be allowed by the Justices as after mentioned; Two Justices may take Cognizance thereof. Form of Proceeding.

Cooly or common Labourer who may have taken and accepted from any Officer or person employed by the Mint in that behalf, Money or Hire in advance for Work and Service agreed to be performed by him or them by the Month, shall neglect or refuse to attend and commence such Work or Service, shall absent himself from his Work or shall neglect or refuse to attend during the ordinary Working Hours or on ordinary Working Days, without sufficient Cause to be allowed by the Justices hereinafter mentioned; it shall be lawful for any two Justices of the Peace acting in and for the Town of Calcutta and Settlement of Fort William, upon the Complaint of the Foreman of the Mint or other Person employed in or on behalf of the Mint, to take Cognizance thereof and to issue their Summons or Warrant for bringing before them the Person or Persons complained of, to hear the Parties, examine Witnesses, and having taken in writing the substance of the Complaint, Defence and Evidence, to acquit or to convict the Person or Persons so accused; and it shall and may be lawful for such two Justices of the Peace to inflict upon such Person or Persons of the description first above mentioned, convicted of any of the said Offences first above specified, a suitable Punishment by Fine not exceeding One Hundred Sicca Rupees on each and every Person or Persons convicted and by Warrant under their Hands and Seals to commit such Person or Persons so convicted to the Common Gaol or House of Correction of the Town of Calcutta, there to be kept to hard labour for a period not exceeding forty days, unless such Fine or Fines be sooner paid, or in the discretion of the said Justices if the case shall appear to them to require it, to commit such Person or Persons so convicted in the first instance, and without imposing any Fine, by such their Warrant as aforesaid, to the House of Correction, there to be kept to hard Labour for a period not exceeding Forty Days. And in the case of conviction of such Lascar, Cooly or common Labourer for any of the Offences secondly above specified, in the like manner to impose a Fine not exceeding Twenty Sicca Rupees, and in case of non payment thereof to commit such Person or Persons to the Common Gaol or House of Correction in manner aforesaid, for a period not exceeding One Month, or without imposing such Fine in like manner as aforesaid, to commit such Lascar, Cooly or common Labourer so convicted, to the House of Correction, there to be kept to hard Labour for a period not exceeding One Month.

May inflict upon Offenders of the first description, a Fine not exceeding One Hundred Rupees.

And commit to the Common Gaol, or House of Correction to hard Labour for not exceeding forty days, unless Fine be sooner paid. Or in their discretion commit in the first instance for a like period to the House of Correction to hard Labour.

On conviction of Lascars, &c. may impose a Fine not exceeding Twenty Sa. Rs. And commit as aforesaid for not exceeding one Month. Or at discretion, Commit to the House of Correction to hard Labour for same period.

II. And be it further ordained by the Authority aforesaid, that from and after the due Registry and Publication of this Rule, Ordinance and Regulation as aforesaid, if any Artificer, Refiner, Melter, Roaster, Cutter, Adjuster, Dye feeder, Stamper, Turner, Smith, Brazier or Servant, shall be charged with fraudulently purloining, embezzling or secreting about his Person within the Mint, either Ingot, Blank Clippings or Filings of Gold, Silver or Copper, with which he shall have been entrusted in the course of and for the purpose of his Employment and Business aforesaid as such Artificer or other Person of the description last aforesaid; it shall be lawful for any Justices of the Peace by Summons or Warrant to cause the Person so charged to appear before any two such Justices to answer for the same, and it shall be lawful for such two Justices to hear the matter of

If any Artificer, &c. shall be charged with fraudulently purloining or secreting about his person within the Mint any Ingot, &c. with which he shall have been entrusted in the course of his Business, &c.

Any Justice may Summons the Offender to appear before two Justices who may take Cognizance thereof.

of such Complaint, to examine Witnesses, and having taken the substance of the Complaint, Defence and Evidence in writing, to acquit or convict the Person or Persons so charged, and on conviction to adjudge the Offender to pay a Fine not exceeding double the amount of the value of the Metal which he shall be proved to have so fraudulently purloined, embezzled, or secreted about his person, within the Mint as aforesaid, or to sentence him to hard Labour in the House of Correction for Four Months, or to be publicly whipped at the Mint.

Form of Proceeding.

On conviction may inflict a Fine not exceeding double the amount of the value of the Metal.

Or sentence him to hard Labour in the House of Correction for Four Months, or to be publicly whipped at the Mint.

III. And Whereas with a view to prevent Copper or any other Metal being fraudulently conveyed in to the Melting-rooms, and there mixed by the Melters as Alloy with the Bullion melted by them, it has been deemed expedient to prohibit by Standing Orders at the Mint, Copper or any other inferior Metal being brought within the Mint, either coined or uncoined, without the express authority and sanction of the Mint Master,—Be it further ordained by the Authority aforesaid, that from and after the due Registry and Publication of this Rule, Ordinance and Regulation as aforesaid, if any Refiners, Melters, Artificers or Workmen of any description employed in the Mint, or other person in the employment of the United Company of Merchants of England Trading to the East Indies, shall without Permission, and contrary to the said Standing Orders, knowingly carry and convey, or wilfully and fraudulently in the breach of such Orders cause or procure any other Persons to carry or convey Copper or other infertor Metal into the Mint, such Carrying or Procuirng shall be considered a Breach of Duty and Misdemeanor, and it shall be lawful for any such Justices of the Peace by Summons or Warrant as aforesaid to cause such Person or Persons so charged to be summoned or apprehended and brought before any two Justices as aforesaid, to answer to such Charge; and it shall be lawfnl for any two such Justices as aforesaid, before whom such Person or Persons so charged as last aforesaid, shall be brought, to hear the matter of such Charge and Complaint, and having taken in writing the Substance of the Charge, Defence and Evidence, to acquit or convict the Person or Persons so charged, and on conviction it shall be lawful for the two Justices who shall have heard the said Charge to adjudge the Person or Persons so convicted to pay a Fine not exceeding Fifty Rupees, for every Sicca weight of Copper or other inferior Metal, so brought and caused or procured to be brought, and also in their discretion, if they see fit, to order such Offender to be publicly whipped at the Mint.

If any Refiners, &c. shall without the permission of the Mint Master, knowingly carry, &c. or cause to be caried, &c. Copper or other inferior Metal into the Mint, to be considered a Misdemeanor.

Two Justices may take Cognizance thereof.

Form of Proceeding.

On conviction may inflict a Fine not exceeding Fifty Sa. Rupees for every Sicca weight of Copper or other inferior Metal.

And order Offender to be publicly whipped at the Mint.

IV. And be it further enacted by the authority aforesaid, that from and after the due Registry and Publication of this Rule, Ordinance and Regulation as aforesaid, if any principal Melter shall wilfully deteriorate or debase, or shall willingly aid or abet any of the Workmen under him, or any other Workmen in the said Mint in deteriorating or debasing the Fineness of the precious Metals given him or them to melt, it shall be lawful for any such Justices of the Peace as aforesaid, on Complaint thereof, to take Cognizance thereof, and by Summons or Warrant to cause the Person or Persons so charged, to appear before him, and to hear the Parties, and examine Witnesses, and having taken in writing the substance of

If any principal Melter shall wilfully deteriorate or debase, or willingly aid any Workmen in so doing the fineness of the precious Metal;

Any Justices may take Cognizance thereof.

And inflict a Fine to twice the Amount of deterioration, to be retained out of Security, or withheld from Wages.

of the Charge, Defence and Evidence. to acquit or convict the Person or Persons so charged, and by order under his Hand and Seal to adjudge such Offender to pay a Fine to twice the amount of such deterioration, and to direct the same to be retained out of such Person or Persons' Security or Deposit. or withheld out of the Wages accruing to such Person or Persons; and if any such Person or Persons shall a second time be charged with such Offence, it shall be lawful for any such two Justices of the Peace on Complaint thereof by Summons or Warrant as aforesaid, to cause the Person or Persons to be summoned or apprehended, to appear before any two such Justices to answer to the said Charge, and it shall be lawful for such two Justices as aforesaid, before whom the Person or Persons so charged shall be brought, to hear the matter of such Charge and Complaint, and to examine Witnesses, and having taken in writing the substance of the Charge, Defence and Evidence, to acquit or convict the Person or Persons so accused, and on conviction to adjudge the Person or Persons so convicted to be publicly whipt in the Mint, and also to pay a Fine not exceeding Fifty Rupees, and in case the said Fine be not paid, to commit such Person or Persons so convicted to the Common Gaol or House of Correction, there to be kept to hard Labour for a period not exceeding Four Months.

Upon second Offence to inflict the punishment of public whipping at the Mint and also a Fine of Fifty Sa. Rs.

In default of payment to commit Offender to the Gaol or House of Correction to hard Labour for not exceeding Four Months.

If any Persons of the description herein mentioned, shall be guilty of any of the Offences specified in the Second Section of the Byelaw of the 19th of October, 1816, he or they shall be liable to be prosecuted, convicted and punished conformably to the said Byelaw.

V. And be it further ordained by the Authority aforesaid, that from and after the due Registry and Publication of this Rule, Ordinance and Regulation as aforesaid. if any of the Persons of the description herein mentioned, shall be guilty of any of the Offences specified in the second Section of a Bye Law or Rule, Ordinance and Regulation for the good Order and Civil Government of the Settlement of Fort William in Bengal, made and passed by the Right Honorable the Governor General in Council the Nineteenth Day of October One Thousand Eight Hundred and Sixteen, and registered in the Supreme Court of Judicature at Fort William in Bengal the Twelfth day of November in the same year, he or they shall be liable to be prosecuted, convicted and punished for such Offences, conformably to the Provision in the said Rule, Ordinance and Regulation. And it is hereby further ordained, provided and declared, that in all cases in which by this present Rule, Ordinance and Regulation, it is made lawful to punish any Person or Persons by Whipping, it shall not be lawful to inflict a greater number of Stripes for any one Offence than the number of Fifty.

Proviso that in cases of punishment by Whipping no greater number than Fifty Stripes to be inflicted.

A RULE ORDINANCE & REGULATION for the good Order and Civil Government of the Settlement of Fort William in Bengal.

Passed in Council 24th March.—Registered in the Supreme Court of Judicature, 17th April, 1820.

WHEREAS the pernicious practice of Gaming as well among idle and disorderly persons, as among inferior Tradesmen, Shopkeepers, Mechanics, Servants, Labourers and others of like condition, within the Town of Calcutta and Settlement of Fort William in Bengal, hath become a great and notorious evil, and is the cause of many Robberies and Thefts—And Whereas it will tend to preserve the good Order and Civil Government of the said Town of Calcutta and Settlement of Fort William, if suitable remedy be provided against the same; Be it therefore ordained by His Excellency the Most Noble the Governor General in Council of and for the Presidency of Fort William in Bengal, and by Virtue of the Powers in him vested by a certain Act of Parliament, passed in the Thirteenth Year of the Reign of His Majesty King George the Third, entitled "an Act for establishing certain Regulations for the better management of the affairs of the East India Company, as well in India, as in Europe;" And by a certain other Act of Parliament, passed in the Fortieth Year of the Reign of His said Majesty, entitled "an Act for establishing further Regulations for the Government of the British Territories in India, and the better Administration of Justice within the same;" That from and after the due registry and publication of this Rule, Ordinance and Regulation in the Supreme Court of Judicature at Fort William in Bengal, with the consent and approbation of the said Supreme Court, if the said Court shall in its discretion approve of and consent to the registry and publication of the same, if any persons or persons by himself, herself, or themselves, or by his, her or their agent or agents, or servant or servants, shall have, hold, occupy, or use any house, hut, hovel, room, godown, yard, compound, garden, alley or other place, for the purpose of common or promiscuous Gaming for Money, or other valuable matter, thing or reward whatsoever, or shall suffer any such common or promiscuous Gaming for Money or other valuable matter, thing or reward whatsoever, to be had or carried on within such house, hut, hovel, room, godown, yard, compound, garden, alley or other place whatsoever— It shall and may be lawful for any Justice of the Peace, acting in and for the Town of Calcutta and Settlement of Fort William, upon complaint thereof to him made, to issue his Summons or warrant for bringing the party or parties complained of before him, and on or after the appearance of such party or parties, it shall and may be lawful for any two or more

Justices

Recites that the pernicious practice of gaming among inferior Tradesmen, Shopkeepers, Mechanics and others, had become a great and notorious evil.

Act 13. Geo. 3.

And Act 40. Geo. 3.

It is therefore ordained, that if any person by himself or herself, his or her Agent or Servant, shall have, hold, occupy or use any House, Hut, &c. for the purpose of common or promiscuous Gaming for Money or other valuable matter or reward or shall suffer the same

Any Justice may upon complaint issue his Summons against the party

Justices of the Peace acting in and for the said Town of Calcutta and Settlement of Fort William aforesaid, to take cognizance of such complaint, to hear the parties, to examine Witnesses, and having taken in writing the substance of the charge, defence and evidence, to acquit or convict the person or persons accused; and in case of conviction to impose upon the offender or offenders a suitable fine or fines not exceeding One hundred Rupees, and in default of payment thereof within one hour, to commit the person or persons so convicted, to the Common Gaol of the Town of Calcutta, or to the house of Correction, to be kept to hard labour for a period of time not exceeding three Calendar Months; or otherwise according to the discretion of the said Justices, in the first instance to commit the person or persons so convicted to the common Gaol of the Town, of Calcutta, or to the house of Correction, to be kept there to hard labour for a period of time not exceeding three Calendar Months.

Upon appearance two Justices may take cognizance of the offence.

Upon Conviction may impose upon offenders a fine not exceeding 100 Rs.

In default of payment within one hour may commit to the Common Gaol or House of Correction to hard Labour for not exceeding three Calender months.

Or at discretion in the first instance, commit to the Common Gaol or House of Correction to hard labour for same period.

II. And be it further ordained by the authority aforesaid, that if after the due registry and publication of this Rule, Ordinance and Regulation, any person or persons shall game for Money or other valuable matter, thing or reward whatsoever or shall join in, bet at or abet, or be present for the purpose of joining in, betting at or abetting any such Gaming in any public street, road, alley, lane, square or other highway, or if any person or persons being in or at any such house, hut, hovel, room, godown yard, compound, garden, alley or other place, had, held, occupied or used for the purpose of common or promiscuous gaming for Money or other valuable matter, thing or reward whatsoever within the said Town of Calcutta and Settlement of Fort William aforesaid, shall game for Money or other valuable matter, thing or reward whatsoever, or shall join in, bet at, or abet or be present for the purpose of joining in, betting at, or abetting any such Gaming, it shall and may be lawful for any Constable, Town Serjeant, Thannahdar, Naib Thannahdar, Chowkeedaur, Burkundauze or other Police Officer or Officers acting in and for the said Town of Calcutta and Settlement of Fort William aforesaid, upon his or their own view to apprehend or cause to be apprehended all and every such person or persons so gaming or betting at, or abetting or being present at such Gaming, for any or either of the purposes aforesaid, and to convey or carry all and every such person or persons as soon as conveniently may be, before any Justice or Justices of the Peace acting in and for the said Town of Calcutta and Settlement of Fort William aforesaid, to be dealt with as hereinafter provided—And it shall and may be also lawful for any Justice of the Peace, acting in and for the said Town of Calcutta and Settlement of Fort William aforesaid, upon complaint made to him on Oath of any such offence or offences last before mentioned, committed within the said Town of Calcutta and Settlement of Fort William aforesaid, to issue his Summons or Warrant for bringing the party or parties therein complained of before him, and in either of the above cases it shall and may be lawful for any two or more Justices of the Peace acting in and for the said Town of Calcutta, and Settlement of Fort William aforesaid, to take cognizance of the complaint, to hear the parties, to examine witnesses, and having taken in writing the substance of the complaint defence

If any one shall game as aforesaid or join in, bet, or abet, or be present for any such purposes in any public street, road, &c.

Or if any person being in or at any such house, hut, &c. had, held, &c. for the purposes aforesaid, shall game, &c. or join in, bet or abet, or be present for any such purpose;

Any Constable, Town Serjeant, &c. may apprehend and take such person before Justice of the Peace, to be dealt with as after mentioned.

Any Justice may upon complaint issue his Summons against the party:

And any two Justices may take cognizance of the offences.

Upon conviction may impose upon offenders a fine not exceeding 50 Rs.

defence and evidence, to acquit or convict the person or persons accused, and in case of conviction to impose upon the offender or offenders a suitable fine or fines not exceeding Fifty Rupees, and in default of payment thereof within one hour, to commit the person or persons so convicted to the common Gaol of the Town of Calcutta, or to the House of Correction, to be there kept to hard labour for a period of time not exceeding three Calendar Months, or otherwise according to the discretion of the said Justices, in the first instance to commit the person or persons so convicted to the Common Gaol of the Town of Calcutta, or to the House of Correction, to be there kept to hard labour for a period of time not exceeding three Calendar Months.

In default of payment within 1 hour may commit to the Common Gaol or House of Correction to hard labour, for not exceeding three Calendar Months.

Or at discretion in the first instance commit to the Common Gaol or House of Correction to hard labour for same period.

A RULE ORDINANCE & REGULATION *for the good Order and Civil Government of the Settlement of Fort William in Bengal.*

PASSED IN COUNCIL, 21st August.—REGISTERED IN THE SUPREME COURT OF JUDICATURE, 13th November, 1821.

WHEREAS it is deemed just and expedient to enact rules for the prevention and punishment of persons knowingly purchasing or receiving arms, clothes, caps or other articles, generally considered Regimental necessaries from or belonging to any Soldiers or Deserters in the Service of His Majesty or of the Honorable the United Company of Merchants of England Trading to the East Indies, within the limits of the Town of Calcutta and Settlement of Fort William in Bengal aforesaid:

Persons within the limits of Calcutta, and settlement of Fort William, knowingly detaining, buying or exchanging, or receiving from any soldier or deserter or others any arms, &c. or causing the color of any such clothes to be changed, or procuring or enticing any soldier or other person to sell or dispose of any such arms &c.

I. Be it therefore ordained by His Excellency the Most Noble the Governor General in Council, by and in virtue of the authority and power in him vested by a certain Act of Parliament made and passed in the thirteenth year of the reign of his late Majesty King George the Third, entituled " An Act for establishing certain Regulations for the better ma-" nagement of the affairs of the East India Company as well in India as " in Europe," and by a certain other Act of Parliament passed in the fortieth year of the reign of His said late Majesty King George the Third, entituled " An Act for establishing further Regulations for the Govern-" ment of the British Territories in India, and the better administration " of Justice within the same," that from and after the due registry and publication of this Rule, Ordinance and Regulation in the Supreme Court of Judicature at Fort William in Bengal, with the consent and approbation of the said Supreme Court, if the said Court shall in its discretion approve and consent to the registry and publication of the same, if any person or persons within the limits of the Town of Calcutta and Settlement of Fort William aforesaid, shall knowingly detain, buy exchange or otherwise receive from any Soldier in the Service of his Majesty or of the Honorable the United Company of Merchants of England trading to the East Indies, or from any deserter therefrom, or from any other person upon any account or pretence whatsoever, any arms, clothes, caps or other Military furniture or accoutrements whatsoever, being commonly used or worn or intended to be used or worn by such Soldier, and generally deemed Regimental necessaries, or cause the color of any such clothes to be changed, or shall move, procure, counsel, solicit or entice any such Soldier or other person to sell or dispose of any such arms, clothes, caps, furniture or accoutrements as aforesaid, so provided, used, worn or intended to be used and worn as aforesaid, knowing the same to have been so

provided

provided, used, worn or intended to be used and worn as aforeraid, it shall and may be lawful for any two of His Majesty's Justices of the Peace acting in and for the said Town of Calcutta and Settlement of Fort William aforesaid, upon complaint of any such offence made before them, to issue, their Summons or Warrant for bringing before them the person or persons complained of, in which case or in case of such person or persons being otherwise brought or appearing before any two of His Majesty's said Justices of the Peace, it shall and may be lawful for such Justice, before whom such party or parties shall be brought or appear as aforesaid, to take cognizance of such complaint, and having taken in writing the substance thereof and of the defence and evidence, to acquit or convict the person or persons so charged, and in case of conviction for any such offence, to inflict upon each and every such person or persons so convicted a suitable punishment by fine not exceeding Fifty Sa. Rs. for each and every such offence; and if such fine be not paid, it shall and may be lawful for such Justices by Warrant under their hands and seals to commit the person or persons so convicted, and failing to pay such fine or fines to the common Gaol or House of Correction for the Town of Calcutta, there to be kept at hard labour for a period not exceeding three calendar Months, or cause such offender to be publickly or privately whipped at the discretion of such Justices, instead of inflicting such punishment of Fine and Imprisonment,

May be summoned before any two Magistrates.

Form of proceedings.

In case of conviction to be punished by fine not exceeding 50 Sa. Rs. for each offence, and on nonpayment to be committed to the common Gaol or House of Correction to hard labour for not exceeding three Calendar months, or publickly or privately whipped.

II. And be it further ordained by the Authority aforesaid, that all fines levied under or by virtue of this Rule, Ordinance and Regulation, shall be transmitted to the Clerk of the Crown for the use of His Majesty, and that in case of the punishment of whipping being inflicted under this Rule, Ordinance and Regulation, no greater number of stripes be inflicted on any one person convicted than fifty stripes.

Punishment of whipping not to exceed 50 stripes.

A RULE ORDINANCE & REGULATION for the good Order and Civil Government of the Settlement of Fort William in Bengal.

PASSED IN COUNCIL, 14th March.—REGISTERED IN THE SUPREME COURT OF JUDICATURE, 4th April, 1823.

Preamble.

Recites that matters tending to bring the Government of this Country into hatred and contempt and to disturb the good order of Society have of late been printed and published.

For the prevention whereof Regulations for the Press are deemed expedient.

WHEREAS Matters tending to bring the Government of this Country as by law established into hatred and contempt, and to disturb the peace, harmony and good order of Society, have of late been frequently printed and circulated in Newspapers and other papers published in Calcutta : for the prevention whereof it is deemed expedient to regulate by Law the Printing and Publication within the Settlement of Fort William in Bengal, of Newspapers, and of all Magazines, Registers, Pamphlets and other printed Books and Papers, in any language or character, published periodically, containing or purporting to contain public news and intelligence. or strictures on the acts, measures and proceedings of Government, or any political events or transactions whatsoever.

Recites Acts 13 and 40. Geo. 3.

Ordains that no person or persons shall within the Settlement of Fort William, print or publish or cause to be printed or published any Newspaper, or Magazine, Register, Pamphlet, or other printed Book or Paper whatsoever in any Language or Character published periodically containing or purporting to contain public news or strictures on the Acts, &c. of Government or any Political events whatsoever, without a Licence for such purpose from the Governor General in Council.

I. Be it therefore Ordained by the Authority of the Governor General in Council of and for the Presidency of Fort William in Bengal, at and within the said Settlement or factory of Fort William in Bengal aforesaid, by and in virtue of and under the authority of a certain Act of Parliament, made and passed in the thirteenth year of the reign of his late Majesty King George the third, entitled " An Act for the better management " of the affairs of the East India Company as well in India as in Europe ; and by a certain other Act of Parliament made and passed in the fortieth year of the reign of his said Majesty King George the third, entitled " An Act for establishing further Regulations for the Government of the " British territories in India, and the betteradministration of justice with- " in the same ;" that fourteen days after the Registry and Publication of this Rule. Ordinance and Regulation in the Supreme Court of Judicature at Fort William in Bengal, with the consent and approbation of the said Supreme Court, if the said Supreme Court shall in its discretion approve of and consent to the Registry and Publication of the same, no person or persons shall within the said settlement of Fort William, print or publish, or cause to be printed or published, any Newspapers or Magazine, Register, Pamphlet, or other printed Book or paper whatsoever in any language or character whatsoever, published periodically containing or purporting to contain public news and intelligence, or strictures on the acts, measures

measures and proceedings of Government, or any political events or transactions whatsoever, without having obtained a Licence for that purpose from the Governor General in Council, signed by the Chief Secretary of Government for the time being, or other person officiating and acting as such Chief Secretary.

II. And be it further Ordained by the Authority aforesaid, that every person applying to the Governor General in Council for such Licence as aforesaid, shall deliver to the Chief Secretary of Government for the time being, or other person acting or officiating as such, an Affidavit, specifying and setting forth the real and true names, additions, descriptions, and places of abode, of all and every person or persons, who is, or are, intended to be the printer and printers, publisher and publishers of the Newsapper, Magazine, Register, Pamphlet, or other printed Book or Paper in the said Affidavit named, and of all the proprietors of the same, if the number of such proprietors, exclusive of the printers and publishers, does not exceed two, and in case the same shall exceed such number, then of two, of the proprietors resident within the Presidency of Fort William, and places thereto subordinate, who hold the largest shares therein, and the true description of the house or building, wherein any such Newspaper Magazine, Register, Pamphlet or other printed Book or Paper as aforesaid, is intended to be printed, and likewise the title of such Newspaper, Magazine, Register, Pamphlet, or other printed Book or Paper.

Persons applying for such Licence to deliver to the Chief Secretary, &c. an Affidavit specifying the Names, &c. of the Printers and Publishers of the Newspaper, &c. in such Affidavit named, and of all the Proprietors of the same, if, exclusive of the Printers and Publishers, not exceeding two, and if more than two then of two of the Proprietors resident within the Presidency &c. who hold the largest shares therein, and the House &c. where printed, and the Title of such Newspaper, &c.

III. And be it further Ordained by the Authority aforesaid, that every such Affidavit shall be in writing, and signed by the person or persons making the same, and shall be taken without any cost or charge by any Justice of the Peace, acting in and for the town of Calcutta.

Such Affidavits to be in writing and signed by the party, &c.

IV. And be it further Ordained by the Authority aforesaid, that where the persons concerned as printers and publishers of any such Newspaper, Magazine, Register, Pamphlet, or other printed Book or Paper as aforesaid, together with such number of proprietors as are herein-before required to be named in such Affidavit as aforesaid, shall not altogether exceed the number of four persons, the Affidavit hereby required shall be sworn and signed by all the said persons, who are resident in or within twenty miles of Calcutta; and when the number of such persons shall exceed four, the same shall be signed and sworn by four of such persons if resident in or within twenty miles of Calcutta, or by so many of them as are so resident.

Where the persons concerned as Printers, together with such number of Proprietors as aforesaid shall not exceed four, the Affidavits shall be sworn and signed by all the said parties resident in, or within twenty miles of Calcutta.

And if exceeding four then by four such resident as aforesaid, or by such as are so resident.

V. And be it further Ordained by the Authority aforesaid, that an Affidavit or Affidivats of the like nature and import shall be made, signed and delivered in like manner, as often as any of the printers, publishers or proprietors, named in such Affidavit or Affidavits, shall be changed, or shall change their respective places of abode, or their printing house, place or office, and as often as the title of such Newspaper, Magazine, Register, Pamphlet or other printed Book or Paper, shall be changed, and as often as the Governor General in Council shall deem it expedient to require the same, and that when such further and new Affidavit as last aforesaid, shall be

A like Affidavit to be made and delivered as often as Printers Publishers, or Proprietors shall be changed or change their places of abode, or Printing House, &c.

And Title of Newspaper, &c. changed.

And as the Governor General in Council shall require.

When such further Affidavit shall be required by Governor General in Council, notice thereof signed by the Chief Secretary, &c. to be given to the persons named in such Affidavit made as aforesaid, and left at place where such newspaper, &c. printed.

be so required by the Governor General in Council, notice thereof, signed by the said Chief Secretary or other person acting and officiating as such, shall be given to the persons named in the Affidavit, to which the said notice relates, as the printers, publishers, or proprietors, of the Newspaper, Magazine, Register, Pamphlet or other printed Book or Paper, in such Affidavit named—such notice to be left at such place as is mentioned in the Affidavit last delivered as the place at which the Newspaper, Magazine, Register, Pamphlet or other printed Book or Paper to which such notice shall relate is printed: and in failure of making such Affidavit in the said several cases aforesaid required, that such Newspaper, Magazine, Register, Pamphlet or other printed Book or Paper, shall be deemed, and taken to be printed and published without Licence.

On failure in making such Affidavit in the said several cases required such Newspaper &c. to be deemed printed without Licence.

Licences resumable by Governor General in Council, and after notice of recall signed by the Chief, Secretary, &c. given and left as aforesaid.

VI. And be it further Ordained by the Authority aforesaid, that every Licence which shall and may be granted in manner and form aforesaid, shall and may be resumed and recalled by the Governor General in Council, and from and immediately after notice in writing of such recall, signed by the said Chief Secretary or other person acting and officiating as such, shall have been given to the person or persons to whom the said Licence or Licences shall have been granted, such notice to be left at such place as is mentioned in the Affidavit last delivered, as the place at which the Newspaper, Magazine, Register, Pamphlet, or other printed Book or Paper to which such notice shall relate is printed, the said Licence or Licences shall be considered null and void, and the Newspapers, Magazines, Registers, Pamphlets, printed Books, or Papers, to which such Licence or Licences relate, shall be taken and considered as printed and published without Licence: and whenever any such Licence as aforesaid shall be revoked and recalled, notice of such revocation and recall shall be forthwith given in the Government Gazette for the time being, published in Calcutta.

Licence to be null and void, and the Newspapers, &c. to be considered as printed, &c. without Licence.

Notice of any such revocation to be given in the Government Gazette.

Persons knowingly and wilfully printing or publishing, or as a proprietor, or agent or servants or otherwise selling, vending or delivering, &c.
Or any bookseller, &c. knowingly and wilfully receiving, lending, &c. any such Newspaper, &c.
Without such Licence as aforesaid,
Or after Licence (previously obtained) shall have been recalled,
To forfeit for each offence not exceeding 400 Sa. Rs.

VII. And be it further Ordained by the Authority aforesaid, that if any person within the said settlement of Fort William, shall knowingly and wilfully print or publish, or cause to be printed or published, or shall knowingly and wilfully, either as a proprietor thereof or as agent or servant of such proprietor, or otherwise sell, vend or deliver out, distribute or dispose of, or if any bookseller or proprietor, or keeper of any reading room, library, shop or place of public resort, shall knowingly and wilfully receive, lend, give or supply, for the purpose of perusal or otherwise to any person whatsoever, any such Newspaper, Magazine, Register or Pamphlet, or other printed Book or Paper as aforesaid, such Licence as is required by this Rule, Ordinance, and Regulation, not having been first obtained, or after such Licence, if previously obtained, shall have been recalled as aforesaid, such person shall forfeit for every such offence a sum not exceeding Sicca Rupees four hundred.

Offences and forfeitures to be heard and determined by two Justices.
Mode of proceeding.

VIII. And be it further Ordained by the Authority aforesaid, that all offences committed, and all pecuniary forfeitures and penalties had or incurred under or against this Rule, Ordinance and Regulation, shall and may be heard and adjudged and determined by two or more of the aforesaid Justices

Justices of the Peace, who are hereby empowered and authorized to hear and determine the same, and to issue their Summons or Warrant for bringing the party or parties complained of before them, and upon his or their appearance, or contempt and default, to hear the parties, examine witnesses, and to give Judgement or Sentence according as in and by this Rule, Ordinance, and Regulation is ordained and directed, and to award and issue out Warrants under their hands and seals for the levying of such forfeitures and penalties as may be imposed upon the goods and chattels of the offender, and to cause sale to be made of the goods and chattels if they shall not be redeemed within six days, rendering to the party the overplus, if any be, after deducting the amount of such forfeiture or penalty, and the costs and charges attending the levying thereof; and in case sufficient distress shall not be found, and such forfeiture and penalties shall not be forthwith paid. it shall and may be lawful for such Justices of the Peace, and they are hereby authorized and required by Warrant or Warrants under their hands and seals to cause such offender or offenders to be committed to the common Gaol of Calcutta, there to remain for any time not exceeding four months, unless such forfeitures and penalties and all reasonable charges shall be sooner paid and satisfied: and that all the said forfeitures when paid or levied, shall be from time to time paid into the Treasury of the United Company of Merchants of England trading to the East Indies, and be employed and disposed of according to the order and directions of His Majesty's said Justices of the Peace at their General Quarter or other Sessions.

To levy forfeitures and penalties, by sale of goods and chattels of offenders if not redeemed in six days.

In case sufficient distress not found and forfeitures not paid.

Offenders to be committed to the common Gaol,

For not exceeding four months, unless forfeitures, &c. sooner paid.

Forfeitures to be paid into the Treasury, subject to the orders of Justices in Sessions.

IX. Prov[illegible]lways and be it further Ordained by the Authority afor[illegible] [illegible]dinance and Regulation contained s[illegible] [illegible]ed Book or Paper, [illegible] Current

Proviso [redacted] in this Rule contained shall extend to any printed Book or Paper, containing Intelligence sol[illegible] of a comm[illegible]al

INDEX.

	Page.
Accoutrements, Military—Persons purchasing receiving or changing the colour of	70
Assault, ...	6
punishment for, found insufficient, ...	62
Armed, Persons coming to Calcutta,	17
or appearing in the Streets, ...	ibid
Abduction of married Women and female Children	19
Apprentices, Seamen, ...	34
Artificers, vide Workmen.	
Alehouses, vide Hotels.	
Bricks, left on Roads, &c.	12
Batta Syrangs, &c. .... 42 et	seq.
Lascars, ...	35
Brass, Stolen, ... 46 et	seq.
Bell Metal ditto, ...	ibid
Boarding House, vide Hotels.	
Carriages, left on Roads, &c.	11
Clerk of the Peace, to record Verdicts of Juries, ...	17
Children female, Abduction of, vide Abduction.	
Copper, Stolen, ... 46 et	seq.
Certificates of Seamen's Registry, ..	30
Loss of, ...	53
Coffee-Houses, vide Hotels.	
Dirt, thrown on Roads, &c.	11
Drains, Rubbish thrown into, ...	ibid
Power given to 2 Justices to make,	14
To treat with owners of Lands for,	ibid
Evil Fame Persons of, ...	7
Enclosures on Roads for building, &c.	12
Encroachments on Roads. &c.	13
Eating Houses, vide Hotels.	
Forcible Entry, ...	6
punishment for, found insufficient,	62
Foundations Encroaching on Roads,	14
Gaming, Persons holding Houses for the purpose of, or being present at	67
Gunpowder, not to be Manufactured, within the Settlement without Licence	1
This rule not to extend to persons acting on behalf of the Hon. C.	5
Goods, stolen, ... 9	50
Ghaut Syrangs, &c. persuading Seamen not to Register themselves,	37
Gunners, &c. combining to exact greater Impress than allowed, ..	43
Hotels, ...	57
Licence for keeping, ...	58
Recognizances to be entered into,	ibid
Idle and Disorderly Persons, ...	7
Impress of Seamen's Wages Regulated &ca. 27	43
Not to be paid except thro' Registrar,	29
Iron, Stolen, ...	46
Journeymen, vide Workmen.	
Juries to be Summoned for ascertaining value of Lands, &c. required for Roads, ...	14
License, to Manufacture Gunpowder,	1
To make Enclosures for Building &c.	11
For keeping Hotels, &c.	58
Recognizances to be entered into on obtaining, ...	59
To print Periodical Works, not being solely commercial, ...	72
Labourers, vide Workmen.	
Lead, Stolen, ...	46
Maintenance, order for, of Families by Idle Persons, ...	8
Money, Stolen, ...	9
Married Women, abduction of	19
Marine Regulations, ... 26 42	52
Registry Office, Established, . .	29
Masters and Owners, not to Employ Seamen or Pay Impress except thro' Registrar, unless, &c. 31	33
To deliver in Lists of Crew after Ships return	32
Of Foreign Ships not to take Seamen, except through the Registry Office, ...	37
Mariners, vide Seamen,	
Mates of Ships, absenting, ...	35
Mixed Metal, Stolen, vide Lead.	
Military Accoutrements, Persons purchasing receiving or changing the colour of—	70
Mint Regulation, vide Workmen. ..	
Nuisances, vide bricks, projections &c.	
Obstructions to Roads, &c.	12
Owners of Houses, &c. power given to Justices to treat with for making Roads, &c.	14
Owners, in case of refusal by, to treat for Sale of Houses, &c. Jury to be Summoned, ...	14
Of Ships not to employ Seamen or pay Impress except thro' Registrar, unless, &c. 31	33
To deliver in Lists of Crew after Ship's return, ...	32
To provide themselves, with Apprentices, ...	34
To furnish them with Necessaries,	35

Page.

To pay two Sa. Rs for every Seaman Registered, ... 36
If they cannot procure Men from Registry Office, may do so themselves at same Wages,........ 38
Printers. Proprietors and Publishers of Periodical Publications, not solely commercial, required to take out Licence,............ 72
Projections encroaching on Roads, 12 13 14
Punch-house vide Hotels
Regimental Necessaries, Persons purchasing or receiving,.......... 70
Regulation of 1781 repealed, ... 10
Ditto of 1783 ditto, ... 27
Rubbish thrown on Roads, &c...... 11
Roads, Scaffolding erected thereon, 12
Power given to 2 Justices to make, 14
To treat with Owners of Lands, &c for making, ... 14
Registry-Office established,........ 29
Of Seamen, ... 30 35
Funds in the Office, ... 55
Registrar appointed, ... 29
Neglecting to supply Men, 31 32
To keep Accounts of Monies due to Deceased Men............ 32
May enter Ships & Muster Crew, 32 33
On discharging Crew to enquire into their Conduct & enter same, 33
On discovering improper Conduct in Commanders, &c. to report same to Justices of the Peace or Governor General in Council, 34
To give Security for his Conduct, ... 35
Seamen, Absenting or Deserting, ... 8 21 23 44 60
In cases of Ships burnt, ... 20
Their wages regulated,... 28 43
Balance due on death to be paid to their Representatives, ... 32
Registry of, ... 30 53
Not to be employed except thro' the Registry Office, ... 31
Not to be detained after Ship's return and time completed, unless willing to remain on board. 33
No payment to be made to them except thro' the Registrar, unless, &c. .... ibid
May authorise Registrar to receive any portion of Wages for the use of Assignees, ... 35 45
No Person to act as Batta Lascar without being Registered, .. 36
Refusing to act after Wages .. agreed to 36

Page.

Persuading others not to Register themselves, ... 37
Batta Syrangs, ... 43
Once Registered, again applying with intent to defeat this Rule, ... 53
To report themselves on arrival to Thannadar and Registrar... 54
Persons with whom they reside to report to Thanadar, ... 54
To pay or work out Balances due, ... 55
Landing and embarking of at particular Ghauts 61
Stolen Goods, ... 9 50
Securities for Money Stolen, ... 9
Streets, power given to two Justices to make, ... 14
vide also Rubbish, Scaffolding,
Scaffolding, erection of, for Building, 11
Spouts encroaching on streets, &c .. 13
Sheds ditto ditto, ... ibid
Stalls, Shambles, &c. ditto,...... ibid
Sheriff to summon Juries for ascertaining value of Lands required for Roads, &c. 15
Ships destroyed by fire,........ 20 29
Servants, misconduct of, ... 21
Spirituous Liquors, introduction of, into Fort William, ... 25
Stealing Lead, &c. ...... 46 et seq.
Thieves, Persons reputed to be, ... 7
Tutenague, stolen, ... 46
Tin, stolen, ... ibid
Taverns, vide Hotels.
Unemployed Persons able to work and not using endeavours to get employment, ... 7
Vagrants, ... 7
Workmen, absconding or absenting from service, ... 7 39 63
Combining to raise Wages, to alter hours of work, or to decrease work, or preventing others from hiring themselves, or persuading them to quit their service, ... 40
Purloining Goods, &c. 41
Ditto in the Mint, ... 64
Goods found upon of same nature as Goods vended &c. by persons employing them, ... 50
Fraudulently conveying Copper, &c. into the Mint, ... 65
Deteriorating the fineness of precious Metal.............. 65
Whipping, not to exceed 50 Stripes, 9 66
Wages of Seamen, ... 28 43

ABSTRACT

OF THE CHARTER:

For erecting a SUPREME COURT *of* JUDICATURE *at* Fort William, *in* Bengal, *dated* 26*th* March, 1774.

THE King, by virtue of an act of parliament of the 13th year of his reign, ordains that there shall be, *within the factory of Fort William at Calcutta in Bengal*, a court of record, to be called "THE SUPREME COURT OF JUDICATURE AT *FORT WILLIAM*, IN *BENGAL*;" to consist of, and to be held before, a chief justice and three puisne justices (being barristers in *England* or *Ireland*, of not less than five years standing), who are from time to time to be appointed by Letters Patent, under the great seal, and to hold their offices during the pleasure of the Crown.

Act of 13 *Geo.* III, cap.
A court of record, to be called *Supreme Court of Judicature at Fort Wm. in Bengal.*
To consist of a chief justice, and 3 puisne justices.
Their qualification.
To be appointed by the Crown, and to hold during pleasure.

The chief justice and puisne justices are also appointed justices and conservators of the peace, and coroners, for the provinces of *Bengal Bahar*, and *Orixa*, and are invested with such and the like jurisdiction and authority as may be executed by the chief justice and other justices of the court of King's bench in *England*; their judgements and orders are to be made with the concurrence of the major part of them, or by such one of them as shall be sitting in court; and a casting voice is given to the chief and in his absence, to the senior puisne justice present, when the court is equally divided.

To be justices of the peace, and coroners, in the 3 provinces; with the same powers as the justices of the King's bench.
Major part, or a single justice, may give judgment.

The supreme court is to have a seal, bearing the impression of His Majesty's arms, within an exergue, bearing this inscription, "THE SEAL OF THE SUPREME COURT." The seal is to be kept by the chief justice, or, during a vacancy of that office, by the senior puisne justice, and during a vacancy of the office of chief justice, or of any puisne justice, who shall have had the custody of the seal the said court is impowered to seize and take the seal from any person by any means,

The chief, or senior puisne justice, to have 3 casting voice.
The court to have a seal to be kept by the chief, or senior puisne justice.

All writs and processes are to run in the King's name; are to be passed under seal; are to be attested by the keeper of the seal for the time being; and are to be signed by the officer preparing the same.

All writes & processes are to run in the King's name.

The salary of the chief justice is fixed at £ 8,000 *per annum*, and that of each of the puisne justice at £ 6,000 *per annum*. The chief justice is to have rank and precedence next after the Governor general, and the puisne justices (according to their priority of nomination), next after the members of the supreme council.—*Elijah Impey* Esq. is constituted the first chief justice; and *Robert Chambers*, *Stephen Cæsar Le Maistre*, and *John Hyde* Esqrs. the first three puisne justices.

Salaries of the 4 justices.
Their rank & precedence
The nomination of the first four justices.

The supreme court are, upon the first *Tuesday* in *December* annually, to nominate three persons resident in *Calcutta*, or its precincts, to the Governor general and council, who are, within three days, to appoint one of the said three persons to serve the office of sheriff for one year, to be computed from the 20th of *December* next ensuing. The sheriff is to take the

Mode prescribed for electing a sheriff for the three provinces;

Who is to take certain oaths.

His duty.

Court to depute where sheriff is interested.

the oath of allegiance, and also an oath of office, before the Governor general, or the senior member of the council present; and in case of the death of such sheriff, or of his departure from the provinces whilst in office, another person is to be appointed sheriff in his stead for the remainder of the year, in the manner aforesaid.—The duty of the sheriff is to execute and return, by himself or deputies all writs and precepts to the supreme court; and to receive and detain in prison all persons committed by the court; and where any process shall be awarded against the sheriff, the supreme court may direct any other person to execute and return the same.

Clerks and officers to be appointed by the court;

with reasonable salaries,

to be approved by Governor general and council.

The supreme court is impowered from time to time, as occasion shall require, to appoint such clerks and ministers as shall be necessary for the administration of justice, and the execution of the authorities granted to the court; which said officers and clerks are to have and receive such reasonable salaries as the said court shall appoint for each office and place respectively, and as the Governor general and council shall approve; provided that all the said officers and clerks be resident within the jurisdiction of the court, so long as they shall hold their repective offices.

For admission of advocates and attornies.

The supreme court may also admit so many advocates and attornies at law upon record as they shall think fit. The attornies are to appear, plead, and act for the suitors, and are made subject to removal by the court; and no other attornies are to be allowed to practise in the said court.

For settling a table of fees to be paid by the suitors.

The fees may be varied.

A list of clerks and officers, and table of fees, to be transmitted to the King.

The table to be hung up in the court room.

The court is to settle a table of fees to be paid by suitors to the sheriff, and other officers, clerks, and attornies, for all business done by them in the said court, subject to the approbation of the Governor general and council, and also subject to any future variations to be made therein, at the discretion of the court, with the concurrence of the Governor general and council. The judges are required to transmit to his Majesty, within a year after the publication of the Charter at *Fort William*, a list of the said officers and clerks, and of their salaries, and a copy of the said table of fees; and the said table of fees is required to be kept fixed up in a conspicuous part of the court room at *Fort William*

The civil jurisdiction and powers of the court.

Restrictions.

The supreme court may try and determine all suits upon trespass, injuries, debts, and demands, or other interests whatever, or any rights, titles, or claims to houses, lands, or other things, real or personal, within the provinces; and may hold pleas, real, personal, or mixed, in causes against the Company, or against the mayor and aldermen of *Calcutta*, or against any other of His Majesty's subjects residing, or who shall have resided within the provinces, or having debts or effects real or personal within the same or against their representatives; and against any other person who, at the time of action brought, or cause of action accrued, shall be, or shall have been, in the service of the Company, or of the said mayor and aldermen, or of any other of His Majesty's subjects; (but they are not to try a suit against any person who was never resident in any of the said provinces, nor against any person resident in *Great Britain* or *Ireland*, unless the suit be commenced within two years after the cause of action arose, nor if the sum to be recovered shall exceed 30 000 current rupees).—The said court may also try and determine suits against other inhabitants of *India*

Cognizance of suits amongst other inhabitants by consent.

residing in the said provinces, upon contracts in writing between them and any of the King's subjects, where the cause of action shall exceed 500 current

current rupees, and when such other inhabitant shall have agreed by such contract that in case of any dispute the matter shall be determined in the said court.

Mode of commencing and prosecuting a civil suit in the supreme court.

The mode prescribed for commencing and prosecuting suits in the said court is, by filing a bill containing the cause of action or complaint whereupon a precept is to be issued to the sheriff to summon the defendant, who is to appear and plead; with power to the court to give time after appearance, and to examine witnesses upon oath, and to summon witnesses for that purpose, and to award to such witnesses, their expences, and to enforce the payment thereof, and also to compel witnesses to attend and give their evidence.—The depositions and affirmations of the witnesses are to be reduced into writing, subscribed, and filed of record; and where the persons summoned as witnesses shall neglect to appear, or appearing shall refuse to give their evidence, or to subscribe their depositions or affirmations, they are made subject to fine or imprisonment, or other corporal punishment not affecting life or limb, at the discretion of the court.

Means of compelling unwilling witnesses to appear.

The court to proceed to judgement, and award writs of execution.

The court is authorized, upon examination into the allegations of the parties, [or of the complaint alone where the defendant shall confess the action, or shall not enter his appearance and plea,] to give judgement with costs, and to award writs of execution to the sheriff against lands, debts, and effects, or against the body; and where debts shall be extended, no discharge shall be effectual to the debtors without the order of the court.—The court may also make interlocutory rules and orders; and may, in default of a party appearing to the first precept, award a capias, and hold the party to bail; and where the cause of action shall be sworn to exceed 100 current rupees, or verified to the satisfaction of the court to be of an enormous personal wrong, court may award a capias in the first instance, and hold the party to bail, and for want of bail may commit to prison until bail given. If a *non inventus* be returned to any summons or capias, a writ of sequestration may be awarded against lands, debts, and other effects of the defendant, with power of sale at the discretion of the court; and if the defendant shall not appear within a time to be limited, the court may proceed to hear and determine *ex parte*, and give judgement with costs, and cause such judgement to be satisfied out of the produce of the sequestered effects; and the deficiency (if any) may be levied by further process of execution. But if after sequestration, judgement shall pass for the defendant, the court shall award the defendant his damages and costs of suit, including the costs of the sequestration.

Further powers granted to the court of making interlocutory rules and orders.

In what cases parties may be held to bail,—

And writs of sequestration awarded.

If after sequestration, judgement passes for the defendant, the plaintiff is to pay damages and costs.

An attorney to be appointed to act for the Company.

The Governor general and council are required to appoint an attorney to act on behalf of the Company, who is to reside in *Calcutta*, and on whom precepts against the Company are to be served; and in default of his entering an appearance for the Company, the court may compel appearance by writs of sequestration against the Company's estates and effects. In judgements against the Company the court is to award reasonable costs, and cause the same, with the debt and damages, to be levied

Mode of proceeding in suits against the Company.

determine the cause *ex parte*, and give judgement and costs, and cause the same to be satisfied out of the produce of the sequestered effects; and any deficiency therein may be levied by further execution. But if after a sequestration, judgement shall pass for the Company, the court shall award to the Company their costs of suit, and also their damages and expences occasioned by the sequestration.

Company may sue in the supreme Court.

The Company may also sue in the said court in the same manner as other persons.

In what cases the court may take cognizance of suits between the natives

In suits brought in the provincial courts (exceeding the value of 500 current rupees) upon contracts in writing made between *British* subjects and any other inhabitants of the said provinces, and where such inhabitants shall have agreed by such contracts. that in case of any dispute, the matter shall be determined by the Supreme Court, then, on the application of either party and either before or after judgement, the Supreme Court may grant a prohibition to the provincial court, and determine the suit.

The supreme court shall act as a court of equity, as the Chancery of *Great Britain*

It is also ordained, that the said court shall be *a court of Equity*, and administer justice according to the rules and proceedings in the Chancery in *Great Britain*.

Also as a court of oyer and terminer and gaol delivery.

Al-o, that the said court shall be *a court of oyer and terminer, and gaol delivery*, for the town of *Calcutta*, the factory of *Fort William* and the limits thereof, and the factories subordinate thereto; with power to make the Grand Inquest of all treasons, murders, felonies, *&c.* within the said town, factory, limits, and subordinates. The grand juries and petit juries are to be summoned by the sheriff from amongst *British* subjects residing in the town of *Calcutta*, and criminal justice is to be administered and execution awarded as in the like courts and for the like offences in *England*, and the like power of inquest, presentments, *&c. &c.* is extended over all *British* subjects residing within the said provinces at large, and over all persons in the service either of the Company or of other *British* subjects, with power of issuing writs of *capias*, *subpœna*, &c. &c.

No objection to lie to the locality of jurisdiction.

No objection is to lie to the locality of the jurisdiction. but the trial and punishment shall be, as if the crime were committed in *Calcutta*.

The court may reprieve convicts, or suspend execution, remitting home the proceedings.

The court may reprieve or suspend execution, in cases proper for mercy, until His Majesty's pleasure shall be known; on those occasions the justices are to transmit to His Majesty a state of the case, and of the evidence, with their reasons for recommending the criminal to mercy, and in the mean time the party is to be kept in custody, or delivered upon bail, as circumstances may require.

Inferior courts and magistrates made subordinate to the supreme court.

The Charter then ordains, that the court of requests, & court of quarter sessions, established by the Charter of Justice of the 26 *Geo.* II, and all justices of peace, sheriffs, and other magistrates in the said provinces, shall be subject to the order and controul of the supreme court, in the like manner as inferior courts and magistrates in *England* are subject to the order and controul of the court of King's bench; to which end the Supreme Court is impowered to award writs of mandamus, certiorari, procedendo, and error, directed to the said inferior courts or magistrates and to punish any contempt of wilf[illegible] by fine and imprisonment.

Supreme court may awards writs of certiorari and error.

Supreme court to exercise exclesiastical jurisdiction in the pro-

Al-o that t[illegible] [illegible]ction throu[illegible] [illegible]th

power to proceed in all causes, &c. appertaining to ecclesiastical jurisdiction amongst *British* subjects there, and which by the law and custom of the diocese of *London* are of ecclesiastical cognizances; and to grant probates of wills of *British* subjects, and Letters of Administration of such as shall die intestate in the said provinces, or Letters of Administration, with copy of wills annexed, either where no executor is named in the will, or where the executor shall not sue forth the probate; and also to grant citation, with power of sequestration, revocation, settling accounts, &c. &c. as used in the diocese of *London*.—Administrators are required to give security by bond, truly to administer and to make inventory, &c.; and the Court may grant leave to parties interested to put such bond in suit.—The court is also to appoint registers, proctors, apparitors, and other officers, as there shall be occasion; and also guardians and keepers of the persons and estates of infants, and committees of idiots and insane persons, and to take inquests, &c.

vinces, as is done in the diocese of *London*; To hear causes of ecclesiastical cognizance; grant probates of wills, and letters of administration of intestates.

Forms of proceedings as in the diocese of *London*.

May appoint registers, and other officers; Also guardians of infants, and committees of lunatics.

The supreme court is also constituted *a court of admiralty* for the said three provinces, and for the territories and islands adjacent thereunto, and dependent thereon, with power to try and determine all causes, civil and maritime, pleas of contracts, debts, exchanges, policies of insurance, accounts, charter-parties, and agreements for loading of ships, or relating to freight, or money due for ships hired or let out; transport-money, maritime usury, or bottomry; or to extortions, trespasses, injuries, complaints, demands, and other matters, civil and maritime, between merchants, owners, and proprietors of ships and vessels employed in the jurisdiction aforesaid, or others contracted, &c. upon or by the sea, public rivers, ports, creeks, harbours, and places overflown within the ebbing and flowing of the sea at high water mark, within, about, and throughout the said provinces, and the territories and islands thereto adjacent and dependent, the cognizance whereof belongeth to the jurisdiction of the admiralty, as the same is used in *England*; and to proceed summarily therein with dispatch, according to the course of the admiralty in *England*, without the strict formalities of law, but according to the truth of the fact, and the equity of the case.

Supreme court to be a court of admiralty;

And determine civil suits appertaining to admiralty jurisdiction.

The extent of their admiralty jurisdiction.

The supreme court may also hear, try, and determine, by inquest of *British* subjects resident in *Calcutta*, according to the laws and customs of the admiralty of *England*, all treasons, murders, piracies, robberies, felonies, maimings, forestallings, extortions, trespasses, misdemeanours, offences, excesses and enormities, and maritime crimes, done or committed upon the high seas, within the limits and jurisdiction aforesaid; and to fine, imprison, and punish, all violators of the law, delinquents, masters of ships, mariners, and others exercising maritime affairs, according to the maritime laws, and their demerits, &c.; and to deliver and discharge persons imprisoned upon their recognizances, &c.; and to arrest, according to the civil law, and the customs of the admiralty, all ships, persons, and merchandizes, wheresoever found in the said jurisdiction; and to compel all parties to appear and answer in the said court; with the power of using temporal coercion, and inflicting penalties, and of compelling witnesses to give evidence, and of promulging and interposing sentences and decrees, and putting the same in execution, according to the course and order of the admiralty of *England*.

Further powers to try and punish maritime crimes.

May arrest ships, *&c.*

And compel parties and witnesses to appear;

And pronounce judgment, and award execution.

Affidavits in the courts of admiralty.

Affidavit

Over what persons their admiralty jurisdiction shall extend.

Affidavits and affirmations in the admiralty court, are to be taken, as in the supreme court. The admiralty jurisdicton is restricted to the King's subjects residing in the said provinces, and to persons who shall, when the cause of complaint shall arise, have been employed, directly or indirectly, by or in the service of the said Company, or of some of His Majesty's subjects.

Fines and forfeitures reserved to the Crown.

The King reserves to himself all fines and forfeitures set or incurred in the supreme court, but authorizes the court make satisfaction to prosecutors, out of any fine, at their discretion.

Appeals allowed from the judgments of the supreme court to the King in council.

The manner of proceeding in appeal.

Persons aggrieved by any judgment, decree, order, or rule of the supreme court, may appeal to the king in council.—In civil causes, a petition to the court is to be lodged, stating the cause of appeal; and where the appellant hath been directed to pay money, or perform any duty, the court shall award that such judgment, &c. shall be carried into execution, or sufficient security given for the performance thereof, as shall be most expedient for substantial justice: In the former case, the respondent is to give security for the performance of the order or decree to be made on the appeal.—In every appeal, security is to be given by the appellant for the costs, and for the performance of the judgment, or order in appeal.—These conditions being complied with, the court is to allow the appeal, and the party may then prosecute the same, after the rules observed in appeals to the King in council from the plantations or colonies; and the supreme court is to transmit to His Majesty in council, under their seal, copies of evidence, proceedings, judgments, decrees, and orders, had or made in the causes appealed.

Security to be given by the appellant.

In criminal cases the court may deny the appeal.

In criminal cases, the supreme court may allow or deny the appeal, and regulate the terms upon which it shall be allowed.

The King may reject any appeal.

The King reserves a power to reject or admit any appeal, and to reform, or vary, any judgment decree, or order, at his discretion; and the supreme court is to conform to the orders of His Majesty; but no appeal shall be allowed by the court, unless the appellant shall lodge his petition within six months after the pronouncing of the judgment, or order complained of nor unless the matter in dispute shall exceed the value of 1,000 pagodas.

Supreme court to execute judgments in appeal.

The persons of the Governor General, members of council, and justices of supreme court, protected from arrests, except for treason or felony.

It is declared that the Governor General, or any member of the supreme council, or the chief justice, or puisne justices, shall not be subject to arrest or imprisonment in any suit or proceeding in the said court, except in cases of treason or felony; nor shall the court be competent to try, or determine any indictment, or information against the Governor General, or any of the council, for any offence, except treason or felony, charged to have been committed in the said provinces.—But where a *capias* may be awarded against the body, the supreme court may sequester the goods and estate of the parties until they shall appear, and yield obedience to the judgement or order of the court.

Supreme court may compel appearance by sequestration.

A court room to be provided.

The Charter directs that a court room shall be provided; and that.

Justices of supreme court to take the oaths of allegiance, &c.

The chief justice and puisne justices shall take the oaths of allegiance &c. before they act as such.

So much of the Charter of justice, of 26 Geo. II, as relates to the

The Charter of the 26th of *Geo.* II, so far as it relates to the mayor's court of *Calcutta* at *Fort William*, or the court of oyer and terminer and gaol